

15 May 2024

Committee	Planning
Date	Thursday, 23 May 2024
Time of Meeting	9:30 am
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.

3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 24 January 2023 of the Tewkesbury Borough Council Code of Conduct, effective from 1 February 2023, as set out in Minute No. CL.72, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

	Item	Page(s)
4.	MINUTES	
	(a) 23 April 2024	5 - 30
	To approve the Minutes of the meeting held on 23 April 2024.	
	(b) 15 May 2024	To Follow
5.	DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL	
	(a) 24/00109/FUL - Land to the South of Maidenhall, Maidenhall, Highnam	31 - 38
	PROPOSAL: Retrospective application for the erection of a boundary fence.	
	OFFICER RECOMMENDATION: Refuse.	
	(b) 23/00598/FUL - Land Off Wainlode Lane, Norton	39 - 62
	PROPOSAL: Demolition of existing workshop building and store, erection of a detached single storey dwelling and garage.	
	OFFICER RECOMMENDATION: Permit.	
	(c) 23/00954/FUL - Coach House, Woodend Farm, Woodend Lane, Shuthonger, Tewkesbury	63 - 80
	PROPOSAL: Erection of a two-storey rear extension.	
	OFFICER RECOMMENDATION: Permit.	
	(d) 23/00955/LBC - Coach House, Woodend Farm, Woodend Lane, Shuthonger, Tewkesbury	81 - 94
	PROPOSAL: Erection of a two-storey rear extension.	
	OFFICER RECOMMENDATION: Consent.	
	(e) TPO 421 - Part Parcel 2352 and Land Adjacent Mythe Road, Tewkesbury	95 - 104
	PROPOSAL: To confirm TPO 421.	
	OFFICER RECOMMENDATION: To confirm without modification.	
6.	CURRENT APPEALS AND APPEAL DECISIONS UPDATE	105 - 108
	To consider current planning and enforcement appeals and Department for Levelling Up, Housing and Communities appeal decisions.	

DATE OF NEXT MEETING**TUESDAY, 18 JUNE 2024****COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: M Dimond-Brown, M A Gore, S Hands (Vice-Chair), D J Harwood, M L Jordan, G C Madle, J R Mason, G M Porter (Chair), P E Smith, R J G Smith, R J E Vines, P N Workman and I Yates

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Planning Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Tuesday, 23 April 2024 commencing at 9:30 am**

Present:

Chair
Vice Chair

Councillor G M Porter
Councillor S Hands

and Councillors:

M Dimond-Brown, M A Gore, D J Harwood, M L Jordan, G C Madle, J R Mason, P E Smith,
R J G Smith, R J E Vines, P N Workman and I Yates

also present:

Councillors C L J Carter and P W Ockelton

PL.70 ANNOUNCEMENTS

- 70.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
70.2 The Chair gave a brief outline of the procedure for Planning Committee meetings, including public speaking.

PL.71 DECLARATIONS OF INTEREST

- 71.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.
71.2 The following declarations were made:

Councillor	Application No./Agenda Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
M A Gore	Item 5a – 24/00129/PIP – Land Off Bozard Lane, Tredington.	Had been contacted by the applicant in relation to the application but had not expressed an opinion.	Would speak and vote.
S Hands	Item 5d – 23/00441/FUL – Land to the West of Twigworth Court Farm, Tewkesbury Road, Twigworth.	Is a Borough Councillor for the area.	Would speak and vote.

D J Harwood	Item 5b – 23/00275/APP – Plots 3 and 4 Gloucester Business Park.	Is a Borough Councillor for the area.	Would speak and vote.
P E Smith	Item 5b – 23/00275/APP – Plots 3 and 4 Gloucester Business Park. Item 5c – 23/00276/APP – Plot 5 Gloucester Business Park.	Is a Member of Hucclecote Parish Council but does not participate in planning matters.	Would speak and vote.
R J E Vines	Item 5b – 23/00275/APP – Plots 3 and 4 Gloucester Business Park. Item 5c – 23/00276/APP – Plot 5 Gloucester Business Park. Item 5e – 23/01078/FUL – Land North of A417, Brockworth Road, Churchdown.	Is a Gloucestershire County Councillor for the area.	Would speak and vote.
I Yates	Item 5c – 23/00276/APP – Plot 5 Gloucester Business Park.	Is a Borough Councillor for the area.	Would speak and vote.

71.3 There were no further declarations made on this occasion.

PL.72 MINUTES

72.1 The Minutes of the meeting held on 19 March 2024, copies of which had been circulated, were approved as a correct record and signed by the Chair.

PL.73 DEVELOPMENT CONTROL - APPLICATIONS TO THE BOROUGH COUNCIL

73.1 The objections to, support for, and observations upon the various applications as referred to in Appendix 1 attached to these Minutes were presented to the Committee and duly taken into consideration by Members prior to decisions being made on those applications.

24/00129/PIP - Land Off Bozard Lane, Tredington

73.2 This was a Permission in Principle application for the erection of between one and seven dwellings, including 40% affordable housing on site.

- 73.3 The Senior Planning Officer drew attention to the Additional Representations Sheet, attached at Appendix 1, which set out that since writing the Committee report, an additional six documents had been submitted by the applicant showing their engagement with Historic England since the refusal of the previous Permission in Principle application. He advised that the submitted documents did not provide any further new information for the Council to assess and document 6 was provided within Appendix 1 of the Planning Statement submitted with the application. It was also noted that Page No. 24, Paragraph 2.1 of the Committee report contained a typographical error in relation to the site area which should read 0.6 hectares. He also noted that it had been brought to his attention late last night that a letter from the applicant had been circulated to all Members of the Committee on Friday 19 April 2024. He went on to advise that the application site was located off Bozard Lane to the north of Tredington village; Tredington did not have a defined settlement boundary and was considered to be a rural settlement. The site was adjacent to St John The Baptist Church which was a Grade I listed building - Grade I listed buildings were in the top 2% of listed buildings. The application site was bounded by public footpaths and the site was located within Flood Zone 1. In terms of planning history, a Permission in Principle application was refused in January 2023 for the erection of between one and nine dwellings on the site for two reasons: the development would conflict with Policies RES1, RES2, RES3 and RES4 of the Tewkesbury Borough Plan; and, the development would cause unacceptable and unjustified harm to the historic significance and setting of the Grade I listed church. The current application sought to address the reasons for refusal by reducing the maximum number of units from nine to seven and now sought to provide 40% affordable housing. The application was accompanied by a Historic Environment Appraisal. The application site was located to the north of the linear built-up area of Tredington; however, it was separated from the core of the village by the church which provided a transition to the open countryside. The proposed development would result in the creation of housing outside of the existing pattern, would not complement the form of the settlement and would not relate to existing buildings within that settlement, contrary to Policy RES4. In relation to heritage, Historic England and the Council's Conservation Officer had both objected to the proposal as it would lead to less than substantial harm to the Grade I listed building. The proposed benefits of the scheme, mainly the provision of up to seven units and 40% affordable housing, were not considered to outweigh the harm to the heritage asset in accordance with Paragraph 208 of the National Planning Policy Framework. It was noted that the titled balance was not engaged on this application due to the harm to the designated heritage asset in accordance with Paragraph 11 of the National Planning Policy Framework. The Parish Council had objected to the application and whilst County Highways had raised no objection to the application itself, it had raised concerns about the lack of a footway connection to the main village. The Council's Housing Officer had requested that a minimum of 40% affordable housing be provided on site in the event that the maximum number of seven units were developed. In conclusion, the proposal would not accord with the development plan when considered as a whole and, having regard to all material considerations including the National Planning Policy Framework, there were clear reasons for refusing the development in relation to its location and impact on a Grade I listed building. As such, it would not constitute sustainable development and was therefore recommended for refusal.
- 73.4 The Chair invited the applicant to address the Committee. The applicant explained that the application had arisen from a call for sites when the Planning Committee was advocating that small villages should have developments of 10 units, including affordable homes, to allow them to thrive and grow. He did not intend to labour the acknowledged mishandling of the previous Permission in Principle application but felt Members should be aware that an in-depth investigation by the Interim Planning Manager in 2023 had found worrying, sizeable issues and, for those reasons Tewkesbury Borough Council and Historic England had asked them to re-submit

this application. The applicant felt that this Committee report was, again, very concerning. As stated, the site area was 0.6 hectares, not two as was shown in the last application and it failed to acknowledge the existing footway, clearly marked on the plan, which safely connected this site to highways and bus stops – the public footpath made this site accessible and sustainable. However, the main concern regarding the Committee report was that Historic England’s submission was stated as an objection but no objection had been recorded or inferred throughout that document; Historic England’s recommendation was that the authority take its representations into account and seek amendments, safeguards or further information as set out in its advice. The applicant explained they had worked with Historic England for over a year and when the Senior Inspector for the South West had visited the site last August he had noted his support for the affordable homes and suggested design parameters as set out in the concept plan. The applicant confirmed that, if successful, they would be more than happy to continue their working relationship with Historic England. He went on to point out that Tredington Primary School had a capacity of 105 pupils but just 64 on role, three of which were children from Tredington. A footpath had been built to the school but no children used it; there was a village hall but no youth club and a beautiful church but no Sunday school. He felt the clear benefit of affordable homes should be weighed as more important than the “less than substantial degree of harm” under the National Planning Policy Framework definition, quoted against the heritage asset by Historic England. The Officer’s opinion did not give a clear reason to refuse as suggested and would be called into question should an appeal be submitted. It was a balance that should engage the presumption in favour of sustainable development and he reminded Members that the Council would retain control over design at the Technical Details Consent stage. Tredington needed more young people to keep it alive and affordable homes to enable young families to stay in the village and this site would deliver the much needed, small scale, affordable homes as required in the recent Gloucestershire Rural Community Council (GRCC) report.

- 73.5 The Chair indicated that the Officer recommendation was to refuse the application and he sought a motion from the floor. A Member sought clarification as to what the next stage would be should the Permission in Principle application be permitted and was advised that the Permission in Principle application was the first stage of the process and sought solely to establish whether the site was suitable in principle for the provision of between one and seven dwellings; the second stage was the Technical Details Consent stage where details such as design, landscaping, drainage and other technical matters were assessed. The Member sought clarification as to whether the Technical Details Consent application could be for fewer houses if the impact of seven dwellings was deemed to be inappropriate and confirmation was provided that the Technical Details Consent could be for one dwelling up to a maximum of seven dwellings. In the event that the application was for fewer than seven dwellings, another Member pointed out that the amount of affordable housing would also reduce and questioned if it was possible there could be a scenario where not one whole affordable dwelling was delivered on site. In response, the Senior Planning Officer confirmed it was a matter for the Technical Details Consent stage and was not a relevant consideration for this Permission in Principle application.
- 73.6 It was proposed and seconded that the application be refused in accordance with the Officer recommendation. A Member pointed out there was modern housing adjacent to the church and, as referenced by the applicant, Historic England had not made a formal objection to the application but had asked for more information which would come forward at the Technical Details Consent stage. Tredington was a sustainable location with regular bus services to Cheltenham, Gloucester and Bishop’s Cleeve and there was employment in the village which had a public house and golf centre. There were currently 79 houses in Tredington and no affordable homes so some development was needed to reinvigorate the school and support

the village. In her view this was an application which should be progressed. The Senior Planning Officer advised that document 6 of the applicant's submission contained pre-application advice from Historic England dated 8 August 2023 which recommended that a full planning application be submitted in order to allow the impact on the heritage assets to be assessed. It was Officer opinion that this effectively constituted an objection due to the lack of information provided within the Permission in Principle application. The Local Planning Authority had a statutory duty to protect, enhance and conserve listed buildings and the Grade I listed church was afforded additional protection in the National Planning Policy Framework; without sufficient information it was not possible to carry out the statutory duty, particularly when Historic England had raised concern and the Council's Conservation Officer had objected to the scheme. The Member assumed it would be possible for these issues to be resolved at the Technical Details Consent stage and, if they were not, the application could be refused at that point. The Development Management Team Manager (East) advised that there were concerns regarding location – one of the factors that could be assessed at the Permission in Principle stage – in terms of the impact on the heritage asset and potential harm to its setting.

73.7 A Member indicated that he could not support the motion to refuse the application which would be a good opportunity to secure affordable housing as well as market dwellings for the village. He was of the view that villages should not be allowed to die through lack of development or investment and considered that the scale of the proposed development was appropriate for Tredington. He failed to see what harm would be caused to the heritage asset given that it was already surrounded by houses. Provided it was sustainable, he felt Members should be supportive of the National Planning Policy Framework in terms of delivering housing in the right area – he felt this proposal would help to inject life into the village. In response, the Development Management Team Manager (East) reminded Members that the affordable housing offer had been put forward by the applicant but there was no mechanism to secure it through the Permission in Principle application. If the site remained at 0.6 hectares in any Technical Details Consent application there would be a requirement to look at what that offer was, based on the amount of units - the applicant could come forward with a scheme for one or two dwellings, rather than the maximum of seven, and registered providers may not pick up such a small amount of affordable housing on site. Officers had not been advised as to who the registered provider would be and there was no information about tenure type; the recommendation from the Housing Officer was for social rent but there was no information from the applicant as to what might come forward. If Members deemed it to be a sustainable location, Policy RES4 looked to bring new housing to rural settlements but set out that it should complement the form of the settlement and be well related to existing buildings within it. The application site was located to the north of the built-up area of Tredington and was separated from the core of the village by the church which provided a transition to the open countryside within which the application site was most closely related, therefore, Officers were of the opinion that the site was not located within and adjacent to the built-up area of Tredington. The proposer of the motion wished to put on record that he was supportive of affordable housing in genuinely sustainable locations but he was not convinced this was one; in this case, it was likely that only one, two or at most three, of the dwellings would be affordable and he did not feel that level of housing would bear the weight of expectation in terms of supporting the school, church and public house. Policy RES4 was in place to maintain the life of villages but also for protection and he remained of the view this application should be refused.

73.8 A Member indicated that she was very conflicted with the application and agreed that villages needed to be reinvigorated. She considered the number of dwellings to be proportionate within the village setting and that they would contribute to, rather than solve, the problems with the school, public house etc. Notwithstanding this,

she was concerned as to whether the affordable housing would be truly affordable given its rural setting – it may not be affordable for young people looking to buy their first house. She asked if it was an option for the applicant to submit a full application and was informed that the applicant had been given that advice on the basis that the details required for a Permission in Principle application were minimal and Historic England was in a position whereby it could not fully assess the proposal on the basis of the information submitted with this application. The seconder of the motion indicated that she was also in favour of affordable housing provided it was ‘real’ affordable housing with no risk of ending up with only one affordable dwelling or a situation where registered providers did not want to take it up. This had come back for a second time as a Permission in Principle application and she would like to see a full application in order for Historic England to be able to undertake a proper assessment. Another Member shared the view this should be a full planning application and whilst he felt there was merit in some housing, he was concerned about the proximity to the church and felt details were needed in order to assess that. The Development Management Team Manager (East) pointed out that there were two recommended refusal reasons, one in relation to the heritage impact and another regarding location of the site; if a full application was submitted and the heritage issues could be resolved, there may still be locational issues with the site but, if the heritage issues fell away, the tilted balance may be engaged hence there would be a different context to assess. The seconder of the motion noted there had been some remarks about the church being surrounded by housing but the plans showed that was not the case currently; however, if this application was permitted, it would set a precedent and that would likely be the end result. In response to a query regarding the Parish Council’s objection to the previous application, the Senior Planning Officer advised that the Parish Council had objected due to the location of the site and the adverse impact on the setting of the Grade I listed building, the type of land use as it was not an infill plot or an allocated site and the amount of development – it was noted that the third objection was based on the application for nine dwellings whereas the current application was for between one and seven dwellings.

73.9 Upon being put to the vote, it was

RESOLVED That the application be **REFUSED** in accordance with the Officer recommendation.

23/00275/APP - Plots 3 and 4 Gloucester Business Park

73.10 This was a reserved matters application in relation to Plots 3 and 4 for the erection of employment development of 16,481sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 development with ancillary offices, alongside discharge of pre-commencement conditions 8 to 11 to planning permission reference 11/01155/FUL. The application had been deferred at the Planning Committee meeting on 20 February 2024 for a Planning Committee Site Visit to assess the size and scale of the proposal and the impact on residential amenity. The Planning Committee had visited the application site on Friday 19 April 2024. Members were advised that, although the Committee report stated the application site was within Churchdown Brookfield with Hucclecote Ward, it was actually in Brockworth West Ward; previous applications had been within Churchdown Brookfield with Hucclecote Ward but there had been a boundary change at some point which meant that it was now within Brockworth West Ward.

73.11 The Development Management Team Manager (South) advised that the application related to Plots 3 and 4 to the southern part of Gloucester Business Park. The site benefited from outline planning permission for business and industrial uses and this application sought the approval of reserved matters and proposed three separate

buildings. Since the Planning Committee meeting in February, the applicant had reviewed the proposal and submitted revised drawings to reduce the height of some of the buildings: building 3.1 had been reduced in height by 2m to an overall height of 13.5m; building 4.1 had been reduced in height by 1m to an overall height of 14.5m; and building 4.2 had been reduced in height by 1m an overall height of 14.87m. The amendments also proposed the relocation of the site access to building 4.2 further south from the signalised junction. It was considered that the proposed buildings would have an acceptable appearance and layout and additional landscaping would provide enhancements to the site. A number of concerns had been raised by nearby residents in respect of the impacts of the proposed development and use; however, it should be noted that the site benefited from planning permission and business and industrial uses were already established. The impact of the buildings in terms of loss of light had been independently assessed and concluded that the scheme would not result in unacceptable harms. It was considered that the relationship had further improved with the more recent amendments to the scheme to reduce the height of the buildings. Attention was drawn to the Additional Representations Sheet, attached at Appendix 1, which confirmed that County Highways was satisfied with the proposal subject to the conditions listed. One additional letter of objection had been received since the Committee report was written and the observations maintained an objection to the revised scheme, advising that the existing trees did not provide 100% screening, especially when not in leaf, and raised concern regarding risks of flooding, drainage, traffic, parking and noise – this reflected the concerns which had been assessed in the Committee report. On balance, and for the reasons set out in the Committee report, the proposal was considered to be acceptable and the Officer recommendation remained delegated approve as set out in the Additional Representations Sheet.

- 73.12 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that the revised plans submitted by Gloucester Business Park failed to address any of the significant concerns that had been raised at the previous Planning Committee meeting and the objections submitted in relation to the application. The major concern was in respect of the use of the plots as warehouses, the height of the units, the size of the footprint of the units and the location within the plot as well as the associated impact on traffic and noise and the utilitarian, overbearing design. The largest unit would be 14.87m high with a footprint of 6,700sqm and composed of generic utilitarian materials with a section of glazed office area and no buffer space to the border of the plot. The total area of the plots was 16,400sqm, offering a bleak and depressing outlook with the complete oppression of skyline apart from the slither of spacing between units 4.1 and 4.2. He compared these units with three existing buildings which bordered Cooper's Edge residential area: Elite Extrusion Die Ltd had an asymmetrical roof which was 10.5m at its tallest roof pitch and 7.3m at its lowest roof pitch and 10m buffer space from the boundary with a footprint of 730sqm; Benefact/Ecclesiastical House had a 12.5m height to the roof with 17m height of roof service level - however, this was largely obscured on approach to the building - and the footprint was 1400sqm; and, Javelin House had a 13m height to the roof with a 17m height of roof service level - again largely obscured on approach to the building – and the footprint was 2,688sqm. Both Benefact/Ecclesiastical House and Javelin House were constructed in higher quality materials more sympathetic to a residential style and buffer space of 40-50m. If planning permission was to be granted, he urged Members to consider including conditions in relation to the building services placement including air conditioning units, generators and ventilation such that these could not be placed facing the residential area and to secure the use of higher quality materials. In conclusion, the local resident expressed the view that the proposed units provided no transition from the residential development to the existing business park. The units were over double the size of the footprint of existing units bordering the residential area and the height

of 14.8m over this size of unit provided a monstrous scale with an imposing view that would be detrimental to the streetscene and main entrance to Cooper's Edge.

73.13 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that, since this application was deferred by the Planning Committee on 20 February 2024 to allow Members to visit the site, the applicant had reviewed the proposals and amended the scheme to address comments raised at that meeting. In terms of the building heights, the applicant had reduced the three buildings across Plots 3 and 4 by up to 2m; building 3.1 had been reduced by 2m resulting in a height of 12.5m to the top of the parapet, and buildings 4.1 and 4.2 had been reduced by 1m resulting in a height of 13.5m to the top of the parapet. These were the minimum heights that could be achieved at the site to enable the effective delivery of B2 / B8 units that was attractive to occupiers to meet the standards and requirements of modern employment development, whilst also addressing Members' concerns. It should also be noted that each of the buildings had an office element located in the areas fronting the roads into the residential areas at around 9m in height which was broadly equivalent of the height of a two storey house; this was significantly lower than the main element of the buildings. The design of the office elements assisted in breaking up the massing of each building and providing a transition between the business park and residential area. In terms of separation distances, a minimum distance of 28.5m had been achieved between building 3.1 and dwellings along Rodmarton Close. A further separation distance of 40m and 72m had been achieved for buildings 4.1 and 4.2 respectively. Given the retained, existing natural screening along the western boundary of the site, and the submitted daylight and sunlight assessment, it was considered this development would not result in an unreasonable loss of light to the principal rooms of the adjacent neighbouring dwellings. This separation distance was also in excess of the buffer requirement of the outline permission for Coopers' Edge. At the previous Committee, highway concerns had been raised by Members in relation to the access at building 4.2 and pavements around building 4. These matters had been discussed with County Highways and solutions agreed - access to building 4.2 had been relocated further away from the signalised junction and a pedestrian footway had been provided along the south of Lobley's Drive between buildings 4.1 and 4.2 to improve pedestrian connectivity throughout the business park. In terms of job creation, it had been calculated using the Homes and Communities Agency (HCA) Employment Densities Guide that 70-126 jobs would be created at Plot 3, and a further 211-378 jobs at Plot 4 depending on whether the buildings were occupied by a B2 or a B8 user. The applicant had listened to the community and stakeholders as they developed the final employment plots and continued to manage the success of the Business Park and trusted that the proposed amendments to the scheme would satisfy Members and enable the application to be approved.

73.14 Having noted that he had not registered to speak in accordance with the requirements of the Scheme of Public Participation as set out in the Council Constitution, the Chair exercised his discretion to allow a local Ward Councillor for the area to speak in relation to the application. The local Ward Councillor expressed the view that B8 use in the area would have a direct impact on the amenity of neighbouring properties resulting in their properties being overshadowed. The original planning permission was for small scale B1, B2 and B8 units which would be more in keeping with the character of this predominantly residential area. The area of landscaping was outside of the application site and could not be secured as part of this application and did not compensate for the effect of the B8 development. In his view, the industrial buildings would have an overbearing presence which was not the intention of the outline application and there was nothing within the current proposal that would mitigate the negative impact on existing residential properties.

- 73.15 The Chair indicated that the Officer recommendation was to delegate authority to the Associate Director: Planning to approve the application, subject to no adverse observations from the Drainage Adviser, conditions as set out in the Committee report and Additional Representations Sheet and any additional/amended conditions following advice from the Drainage Adviser, and he sought a motion from the floor. A Member sought clarification as to who owned the land where the current screening was shown for buildings 4.1 and 4.2. The Development Management Team Manager (South) understood it was in the ownership of the company who developed or owned the residential development; the Council was seeking to adopt the land containing the watercourse to the south side but a sliver would remain in third party ownership. A Member noted that the original site design had included smaller houses and industrial units around residential areas yet this proposal was for much larger buildings which would have an impact on the existing residential properties and he asked if this was policy compliant. The Development Management Team Manager (South) advised that the outline planning permission had not included a condition in relation to a masterplan, parameters plan or any other plan which may show smaller buildings. The grant of planning permission set a precedent for development on this site and each application must be assessed on its own merits. A Member noted the Committee report referenced the southern strip being retained but this area was obviously outside of the Council's control which was frustrating. She asked whether showers were required along with the proposed cycle storage and parking within the facility and the County Highways representative confirmed there was a proposal for showers which would be secured through condition 15, as set out on the Additional Representations Sheet. Another Member had been surprised at how good the screening was when Members had visited the application site but she had noted the trees were not evergreen and asked if a condition could be included to secure planting of evergreen trees to bulk out screening in winter. She noted the local resident had raised concern regarding the materials used and asked if this could be reviewed as part of the delegated approval. She also sought clarification as to the location of the air conditioning units as she was concerned about the potential impact on residential areas. The Development Management Team Manager (South) advised there would be insufficient land to allow trees to properly establish and the land beyond was outside of the applicant's control so it was not possible to insist on requiring any other planting along the southern boundary. The application was recommended for delegated approval to resolve outstanding matters in respect of drainage and Officers considered the materials were acceptable as submitted. He did not have the precise location of the air conditioning units but the Environmental Health Officer was satisfied with the noise impact assessment and it was something which could potentially be secured by an additional details condition.
- 73.16 A Member recognised the original concept was to have smaller units buffering larger units in the business park and she pointed out that all other units had a gap between them. There should be 20% green infrastructure on the business park and she did not think there was enough to mitigate what was now being proposed. As such, she asked why it was acceptable for this area at the end of the plot to be so built up when other areas were not. The Development Management Team Manager (South) indicated that he did not have an assessment as to why the applicant had chosen to build tight to the boundary but the relationship between the industrial units and residential properties was not an unusual one. A Member questioned what process was required if the Council was to insist on a tree screening boundary within the applicant's control and was advised that, if Members considered the absence of tree screening would have an adverse impact on residential properties, they could refuse or defer the application to raise this with the applicant; however, given the absence of meaningful space to the rear of the building, he could not see an obvious solution to resolve the issue.

73.17 It was proposed and seconded that the application be refused on the basis that it was inappropriate given its proximity to the residential area and would have a significant adverse visual impact and due to the landscaping area being outside of the application site. The proposer of the motion expressed the view that the buildings were far too large for the location and too close to residential properties; the original proposal for B1, B2 and B8 units would be more appropriate in the location. The Legal Adviser explained that the employment use had already been approved under the outline planning permission so that could not be used as a reason for refusing the reserved matters application. During the debate which ensued, a Member raised concern there were very few planning grounds on which to refuse the application and it would be difficult to insist on additional screening to address the amenity impact given that the land was not within the applicant's control. Another Member noted the earlier comment that there was no evidence of an original masterplan showing the size of buildings therefore she assumed it was the principle of the site being used as employment land which had been approved. In response, the Development Management Team Manager (South) confirmed that was the case and explained that, typically, if a masterplan was presented for a development which set certain parameters - in this case that might stipulate that no building could extend beyond a certain height - that would be included as a condition but there was no such condition on the outline planning permission. A Member had sympathy with local residents but, given there was no masterplan, she did not feel this was a reason to refuse the application; however, her view was that a deferral would be better to establish if there was a solution to the screening issue. Another Member shared the view there would be no grounds to refuse the application given the history of the site and its designation. Screening could not be insisted upon due to the proximity of the buildings to the boundary but he noted there was potential to include some on land to the south which was intended to come into the possession of the Council so he suggested a financial contribution could be sought from the developer for that. The Development Management Team Manager (South) advised it would be difficult to seek a financial contribution towards planting as the Council did not control that land until it was adopted; should Members be minded to defer the application, this could be investigated further. A Member acknowledged the reasons for suggesting a deferral but she was wary of the timescales for determination, particularly as the application had already been deferred once. The Development Management Team Manager (South) advised that Officers considered the proposal to accord with Policy EMP5 of the Tewkesbury Borough Plan and he referred to the reasoned justification set out at Paragraph 4.28 of the Tewkesbury Borough Plan which stated that determining an appropriate scale and design of development should have regard to the context of the site, for example, the major employment sites would generally be suitable for large scale office, industrial and warehousing uses with large car parking and servicing requirements, whereas the rural business centres – which this was not – would be more suited to smaller scale, low profile units that could be easily assimilated into the rural landscape. Paragraph 4.29 of the reasoned justification of the Tewkesbury Borough Plan stated that environmental and amenity impacts were an important consideration when assessing proposals for new employment development, particularly where proposals were located in close proximity to residential uses and that harm to residential amenity and the local environment could result from noise, odour, vibration, air pollution and light pollution and careful consideration would be required in relation to such impacts. Officers' interpretation was that the application was in accordance with Policy EMP5 and the technical consultees had raised no objection in relation to size and impact on light; the daylight and sunlight report submitted by the applicant had been assessed by an independent specialist on behalf of the Council who had confirmed there would be no significant impact on adjoining residential properties that would warrant refusal of the application. A Member noted that the south boundary screening was cited within the application as a reason for granting approval which he found difficult on the basis that land was in

the control of a third party – he assumed this would be adopted by the Council in due course and therefore that adequate screening would continue to be provided going forward but nevertheless, it was a material consideration and he felt it should be recognised that the applicant had no control over the screening. Upon being put to the vote, the motion to refuse the application was lost.

- 73.18 It was subsequently proposed and seconded that authority be delegated to the Associate Director: Planning to approve the application in accordance with the Officer recommendation. The proposer of the motion understood the concerns of local residents but felt there was no planning reason to refuse the application – it was a business park which was there to provide employment land and, in terms of height, these would be some of the lowest buildings within the park. The seconder of the motion expressed the view that the site visit had been invaluable in demonstrating how the nature corridor worked in that area and she hoped that could be maintained and enhanced when the Council adopted the land. A Member indicated that he was happy to support the motion subject to the inclusion of three conditions to secure retention of the hedgerow along the eastern site boundary, as referenced at Page No. 53, Paragraph 8.39 of the Committee report; to ensure there was no light pollution at night; and to situate the air conditioning units and generators at the north of the buildings as opposed to the south. The Development Management Team Manager (South) advised that landscaping and external lighting had been assessed as part of the scheme and condition 1 listed the documents with which the development would be required to accord and included landscaping and tree plans and the external impact lighting assessment. It was possible to add a further condition requiring details of any external plant and associated noise to be submitted and approved by the Local Planning Authority prior to the commencement of development, should Members so wish. The Member drew attention to Page No. 53, Paragraph 8.42 of the Committee report which stated that the Council's Ecological Adviser had confirmed the proposed bat box locations were now suitable and the works could be secured by condition and he asked if that condition had been included. The Legal Adviser explained that the list of documents in condition 1 included the Ecology Mitigation and Enhancement Strategy report which altered the proposed bat box locations to ensure they were not illuminated and had been confirmed by the Council's Ecological Adviser as acceptable so the development would need to be carried out in accordance with that. The proposer and seconder of the motion confirmed they would be happy to include an additional condition requiring details of any external plant and associated noise to be submitted and approved by the Local Planning Authority prior to commencement of development and, upon being put to the vote it was

RESOLVED That authority be **DELEGATED** to the Associate Director: Planning to **APPROVE** the application, subject to no adverse observations from the Drainage Adviser, conditions as set out in the Committee report and Additional Representations Sheet and an additional condition requiring details of any external plant and associated noise to be submitted and approved by the Local Planning Authority prior to commencement of development, and any additional/amended conditions following advice from the Drainage Adviser.

23/00276/APP - Plot 5 Gloucester Business Park

- 73.19 This was a reserved matters application in relation to Plot 5 for the erection of employment development of 6,773sqm (GIA), access arrangements, servicing, parking including cycle provisions, electric vehicle charging and landscape provision comprising of Class B2 and B8 development with ancillary offices, alongside discharge of pre-commencement conditions 8 and 11 to planning permission reference 11/01155/FUL. The Planning Committee had visited the application site on Friday 19 April 2024. Confirmation was provided that, although the previous application at Agenda Item 5b was in Brockworth West Ward, this application was within Churchdown Brookfield with Hucclecote Ward as correctly stated in the Committee report.
- 73.20 The Development Management Team Manager (South) advised that the application related to Plot 5 to the south western corner of Gloucester Business Park. The site benefited from outline planning permission for business and industrial uses and this application sought the approval of reserved matters in respect of scale, appearance, layout, access and landscaping. Whilst concerns had been raised by nearby residents, as set out in the Committee report, it was considered that the relationship of the development to those properties was acceptable. The County Highways Officer was satisfied with the proposal subject to conditions as set out in the Committee report; however, technical discussions in respect of drainage were ongoing therefore the Officer recommendation remained delegated approve as set out in the Additional Representations Sheet, attached at Appendix 1.
- 73.21 The Chair invited a local resident speaking in objection to the application to address the Committee. The local resident indicated that, as with the previous Agenda Item, this unit provided little transition from the residential area to Gloucester Business Park. It was sited on the main access area into Cooper's Edge and so should complement residential style and better match the neighbouring units Javelin House and Benefact House which were comprised of higher quality traditional brick and mortar which was more sympathetic to a residential setting. The footprint of this unit was significantly larger than both Javelin House and Benefact House and whilst there had been discussion around ways to mitigate the overbearing design, there had been little discussion about the potentially greater benefit of alternative uses. If planning permission was to be granted, Members should consider conditions in relation to the building services placement including air conditioning units, generators and ventilation units in order to ensure they could not be placed facing the residential area and for the use of higher quality materials and a design to compliment a traditional and more residential style and enhance and add growth to the border with the neighbouring residential area. The original intention was to have smaller units on the plot, similar to Javelin House and Benefact House, and this proposal would have a significant detrimental impact on neighbouring residential properties.
- 73.22 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that Plot 5 was the final employment application at Gloucester Business Park which was a successful employment destination in a high quality location, acting as a driver for employment opportunities and economic benefit to the area. They considered the proposed employment uses were the right use and in the right location for Tewkesbury and Gloucestershire. They had listened to residents and stakeholders throughout the development process, and had provided a comprehensive range of surveys to support the planning application to which there were no technical objections. The surveys had confirmed that the proposed development was compatible with the location and resulted in no demonstrable impact upon neighbours. The building had been designed to complement the existing buildings within the park and also provide a transition between the employment and residential areas. A separation distance of over 52m had been

achieved between building 5.1 and dwellings along Arlington Road to the west, and 77m to the south. It was of a scale and height that was suited and attractive to a modern occupier, making an efficient use of land. The relationship between the proposed buildings and the adjacent residential area had been a key consideration throughout the design process. Sustainability at the business park was important for the applicant and the proposed buildings had all been designed to achieve BREEAM Excellent demonstrating a commitment to deliver high quality sustainable buildings. They had consulted widely with the community and stakeholders prior to the application being submitted and one of the key “asks” from the community was improved transport links. They had engaged Stagecoach and, shortly after, a new and improved bus service had been introduced with the intention this would help reduce individual car journeys to and from the park. They had been made aware of local concerns regards traffic, in particular Heavy Goods Vehicles (HGVs) leaving the business park via Lobleys Drive. Whilst no objection had been raised by Gloucestershire Highways, the applicant had noted the importance of resolving this issue and, as a priority, additional signage had been put up at key locations to direct HGV drivers as soon as they left the service yard, to exit the business park via Hurricane Road or Pioneer Avenue. The access to the service yard would also be controlled via condition requiring gates to be open between the 0700 hours and 1900 hours to ensure that HGV’s were not waiting in the highway or blocking pedestrian / cycle crossing points. In terms of job creation, it had been calculated using the Homes and Communities Agency (HCA) Employment Densities Guide that between 115 and 206 jobs would be created at Plot 5, depending on whether the buildings were occupied by a B2 or a B8 user. In summary, the development of these final plots would contribute to the economic growth of the area and was considered to be the right use in the right location.

- 73.23 The Chair indicated that the Officer recommendation was that authority be delegated to the Associate Director: Planning to approve the application, subject to no adverse observations from the Drainage Adviser, the conditions set out in the Committee report and the Additional Representations Sheet and any additional/amended conditions following advice from the Drainage Adviser, and he sought a motion from the floor. A Member noted that part of Lobleys Drive had flooded a month earlier and he asked if there was any update on the discussions regarding drainage. In response, the Development Management Team Manager (South) advised there had been a delay in obtaining a response from the Drainage Adviser but, from initial observations, further information was required to ensure the proposal did not increase flood risk elsewhere and discussions in relation to that were ongoing. It was proposed and seconded that authority be delegated to the Associate Director: Planning to approve the application in accordance with the Officer recommendation. A Member expressed the view that she was concerned about the reliance on landscaping screening which was located on other plots and did not form part of the application site which she did not feel was acceptable. Another Member noted that Page No. 87, Paragraph 8.9 of the Committee report stated that the southern part of the building fronting Gambet Way and Lobleys Drive would include a glazed office section which would serve to add visual interest to the building and contrast with the more utilitarian appearance of the main warehouse element of the building and she expressed the view that personally she would not like to look at a ‘utilitarian’ building from her front window so asked if anything could be done regarding the appearance which may help residents to feel as if they were being listened to. The Development Management Team Manager (South) advised that the application should be determined on the basis of what was before Members today. Officers considered the proposed materials and design to be acceptable in the business park and he did not feel there would be grounds to go back to the applicant to request a different material especially given the context of adjoining buildings.

73.24 Upon being put to the vote, it was

RESOLVED That authority be **DELEGATED** to the Associate Director: Planning to **APPROVE** the application, subject to no adverse observations from the Drainage Adviser, the conditions set out in the Committee report and the Additional Representations Sheet and any additional/amended conditions following advice from the Drainage Adviser.

23/00441/FUL - Land to the West of Twigworth Court Farm, Tewkesbury Road, Twigworth

73.25 This application was for the installation of ground mounted solar to export up to 16MW (AC) electricity, comprising photovoltaic panels and associated infrastructure and works. The Planning Committee had visited the application site on Friday 19 April 2024.

73.26 The Senior Planning Officer advised that the height above ground of each solar array would be a maximum of 4.3m in the western and central parts of fields 3 and 4 where flood water depth was likely to be at its highest and the majority of arrays in field 1 would be mounted up to 1.8m height above ground level where the depth of flood water would be lowest. In terms of access, a new track would be laid toward the array with a temporary construction compound immediately outside of the main solar site; this would be the only vehicular access route into the application site. A substation would be connected to the arrays by underground cable except where crossing the Broadboard Brook where the cable would be suspended above ground between two poles on either side of the brook. The control room would be located in field 1 and there would be four inverters located throughout the site. The Committee report explained that the site was almost entirely in Flood Zone 3 which meant that all equipment was to be sited above the maximum flood water level. In practice, and as advised by the Environment Agency, this was half a metre above the height that floodwaters reached in 2007. As required by the National Planning Policy Framework, the application was supported by a site selection sequential test, and the proposal met the exception test criteria for flood zone development, without objection from the Environment Agency and Lead Local Flood Authority. There were no concerns about disrupting water flow, or displacing floodwater elsewhere. It was accepted this meant that arrays and infrastructure would be higher off the ground and more visible, though in the generally flat landscape only the outside edges of the solar development would be visible. The application was supported by a Landscape and Visual Impact Assessment which had been reviewed by the Council's own specialist adviser. The development would bring significant change, though visual harm would be lower than moderate and would be further mitigated by landscape planting which the Council's Tree Officer has contributed to in design. The final landscape plan would be secured and delivered by one of a number of related ecological and landscape conditions. It was noted that the trees would be significantly taller at the point of planting than average whips and a condition was proposed to secure a landscaping scheme for delivery. Historic England and the Conservation Officer had reviewed impacts to heritage assets, most notably Wallsworth Hall which was a Grade II* Listed Building. Although some concerns had been raised, harm was considered less than substantial and, in any event, would be mitigated by proposed screening and the overall need for renewable energy development to help reduce the effects of climate change. Officers had not identified other significant harms or material considerations against development and recommended the application be approved.

73.27 The Chair invited the applicant's representative to address the Committee. The applicant's representative advised that Historic England had indicated there would be a very low level of harm arising from the proposal and a lot of work had been done a lot of work to get to that point. The height of the panels was more significant next to the brook but, because the land sloped away, the view was not of the higher panels as such. The applicant's representative went on to state that, in 2022, the UK imported more than 37% of its energy supply from outside of the UK leaving it vulnerable to electricity shortages and increased prices. Put simply, the UK needed more UK based energy production and solar energy alongside wind farms and nuclear which would all be part of the energy mix moving away from fossil fuels. Roof mounted solar was restricted by limitations relating to structural integrity of existing roof space and electricity load management such that it could not be considered an alternative to larger ground mounted solar. The UK's electricity network, originally designed around large central power stations, was struggling to cope with the new energy strategy - across the UK there remained only a handful of substations and overhead lines which now had uncurtailed commercial scale capacity to accept new electricity and improvements to the system could take 10 years or more. Where a connection into the existing infrastructure was not practical due to proximity or available capacity, there was no potential for development. This was not simply a financial decision; lengthy grid connections could have additional environmental and community impacts such as disruption, habitat fragmentation, disturbance of archaeology and, in the case of overhead lines, landscape and visual impacts. Other physical barriers such as large rivers and arterial roads could make connection routes impractical. The grid network near Twigworth had available capacity and an immediate connection was available and had been secured. Therefore, the area was considered to have access to a restricted 'resource' which was currently unavailable across much of the UK; however, this did not automatically dictate the acceptability of any possible solar site. Having evaluated land in the area, including available brownfield land, the site and design had been selected and refined in consultation with Officers and external consultees to ensure the proposals satisfied all environmental requirements and minimised any potential impacts on the environment and local community. The site before Members today was on land which was low level and sloped away from residential properties. It was entirely Grade 3b land, free from any landscape, heritage, amenity or ecological designations and was not crossed by any public rights of way. The site benefited from significant screening along many of its existing boundaries and a comprehensive landscape planting scheme had been designed in consultation with the Council's Tree Officer such that the site would be largely screened from most views within only a few years, without limiting existing wider vistas. The site was located within a flood zone which was a technical consideration for solar development, but a notable constraint to the productivity of the agricultural land within the site boundary. Across the UK, many solar farms within flood areas continued to operate successfully during flood events and without causing any off site issues. The site had been through a lengthy technical and detailed design process to ensure that, not only could it operate safely during a worst case predicted flood event but that it would not increase the extent or severity of any flooding off site. Not only had worst case scenarios been taken into account in terms of flood water displacement, but additional unrealistic scenarios had also been considered. In no circumstances would the proposals result in more than a negligible 0.32mm increase to the depth of flood water across the flood plain. In reality when the flood water displacement for the actual design was calculated, the predicted increase was less than one tenth of a millimetre at only 0.08mm. The development proposals had rightly been rigorously scrutinised by Officers and their internal and external advisors and consultees and found to be acceptable. In conclusion, the applicant's representative asked that Members support the Officer recommendation for approval which had been reached after a thorough consideration of all of the facts.

- 73.28 The Chair invited a local Ward Councillor to address the Committee. The local Ward Councillor indicated that he had always been taught that water and electricity did not mix yet that was what was being recommended. He failed to see what local benefit would result from this ill-conceived application as not one unit of electricity would go to benefit the residents of Twigworth. He was surprised to see no objection from the Lead Local Flood Authority, although in his view it had got every recommendation it had responded to in the strategic A1 site completely wrong and he requested that Members give no weight to the response in this instance. He pointed out that the Committee report failed to include any clear timings of works traffic despite the A38 rush hour traffic backing up to the main access to the proposed site. The benchmark for flood levels in the report was 2012 when it should be 2007 and the A38 at the access point had been under water, so well above three metres. He also questioned how emergency vehicles would get onto site if there was a flood which was important given that the chemical recycling plant at Sandhurst, just a few fields over from this application, had caught fire and, due to the fact it had been in flood, fire engines had not been able to access the site resulting in a major incident. The Committee report also failed to mention that five sites had been considered in total; he had been told the other four were not in flood zone 3 so he questioned how this site met the policies within National Planning Policy Framework when at least four other sites were not in the flood plain. The Council had passed a motion that any development in this area should look at the wider implication of both fluvial and pluvial flood patterns but, again, there was no mention of this in the report. He asked that Members use their common sense and refuse this application; they may wish to see the other sites to establish if any of those could be brought forward. He pointed out that, if all of the housing in the strategic A1 site had been built with solar panels on their roofs, the solar farm would not be needed and it would have directly benefitted local people.
- 73.29 The Chair indicated that the Officer recommendation was to permit the application and he sought a motion from the floor. A Member noted there had been some discussion about putting concrete into the ground to accommodate the panels but she asked what had been considered in relation to water drainage to those panels. In response, the Senior Planning Officer advised that the concrete pillars would not be used for the arrays. The Lead Local Authority had been consulted about the use of concrete in the ground and had provided assurance the soil was predominantly clay in any case, therefore it would not adversely affect infiltration through the ground. The Member asked why an Environmental Impact Assessment was not necessary and was advised this was only required if there was a risk of significant harm which did not apply in this instance. Another Member asked if the land was being leased as she did not see how condition 20 in relation to decommissioning could be enforced. The Senior Planning Officer advised this condition would apply to anyone who had control of the site after the 40 year period. A Member noted that the Senior Planning Officer had talked about negating concerns around screening and ensuring sufficient maturity of trees to create screening as soon as possible and he questioned if the condition would ensure screening continued throughout the 40 year period given there was a likelihood some would die during that time. The Senior Planning Officer confirmed the condition would apply throughout the period; typically the condition would be for five years but that timeframe had been removed so that it would apply for the 40 year period. A Member asked the Senior Planning Officer to comment on the local Ward Councillors' suggestion that an incorrect flood assessment had been used and was advised there was no evidence that incorrect data had been submitted; the Flood Risk Assessment, exemption test and data had been checked by the Environment Agency and Lead Local Flood Authority and there were no concerns about accuracy.

73.30 It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. The proposer of the motion wished to put on record that he had written to the Planning Policy Officer around the need for complementary planning guidance around this type of application; there was a legal requirement by 2030 to meet a specific carbon reduction target and, in order to achieve this, the UK was looking at a three fold increase in the amount of on and offsite renewable energy meaning Members were likely to be presented with an increasing amount of applications of this nature and he felt the Committee needed comprehensive guidance ahead of the Strategic and Local Plan to assist with making these difficult decisions. Another Member agreed this would be a difficult decision for all Members; in January she had helped residents of Longford and Twigworth whose properties had flooded and residents in the A38 area would undoubtedly be wary of having this in the flood plain. Notwithstanding this, if a scheme for renewable energy could be delivered in the flood plain, which could not be used for any other type of development, and did not worsen the impact of flooding in the area, she believed that was a good thing. Ultimately, she did not believe anyone would propose building something in the flood plain if they believed it would be unsafe. A Member indicated that he was generally supportive of the idea but, to his mind, location was important and he was conscious of what the local Ward Councillor had said about water and electricity not mixing well so asked what assurances could be given this was a safe location when other locations within the borough could potentially facilitate this type of development. Another Member expressed the view that she could not support the motion based on the location in flood zone 3 and questioned how this would look to residents who were trying to ensure their houses remained dry; any other application would be required to deliver a betterment in terms of flood impact but she believed the applicant's representative had stated there would be an increase in flooding, albeit just a few millimetres. She did not have a sound planning reason to refuse the application but she felt that other areas could potentially provide a suitable location for solar panels and, whilst she understood why they were needed, she could not support building them on the flood plain.

73.31 A Member indicated that he would reluctantly support the motion. He noted that several other locations had been considered and found to be unsuitable and he questioned where else a solar farm could go if the obvious ones had been rejected in favour of this one. In response to a query as to whether there were any examples of other solar farms being built in locations which flooded, the Senior Planning Officer advised that the applicant had mentioned two other sites which had been safely operating in similar flood zones for seven years. The Member asked if it was possible to defer the application to allow the Committee to visit the other sites and was advised it was not appropriate to defer for that reason. A Member expressed the view that whilst the application did not necessarily feel right, that did not mean it was not. She could see no evidence the proposal would increase flooding which was what the decision must be based on, as such, she would support the motion. The proposer of the motion pointed out that solar farms could be built on top of reservoirs and there were plenty of examples of them being floated. A Member indicated that she would like to see a dual use for the ground with the grass areas between the arrays used for grazing and another Member asked if it was possible for grazing to continue with the solar farm in place. The Senior Planning Officer advised that, whilst there was no proposal in the application to use the site for agricultural purposes, it was feasible.

73.32 Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation.

23/01078/FUL - Land North of A417, Brockworth Road, Churchdown

- 73.33 This application was for construction and operation of an Energy Reserve comprising Battery Energy Storage System (BESS) together with associated infrastructure, access, landscaping and cabling, for a temporary period of 40 years (amended description). The Planning Committee visited the application site on Friday 19 April 2024.
- 73.34 The Senior Planning Officer drew attention to the Additional Representations Sheet, attached at Appendix 1, which recommended amendments to conditions 8 and 16. Members were advised there were two access points off Brockworth Road, the northern access was the construction route and, once complete, would be restricted for agricultural purposes leaving the southern access for maintenance vehicles to access the site and this would be secured by condition. The batteries would be perpendicular with the A417 with 16 laid out side to side and eight inverters alongside them. There would be a perimeter track with access to each container and around that would be a perimeter fence with a landscaping scheme beyond that. The Committee report explained that the site was in the Green Belt where there would normally be a presumption against inappropriate development; however, the National Planning Policy Framework set out that very special circumstances could include the wider environmental benefits of renewable development. In this case, the application was supported by a site selection report comprising the very special circumstances and Officers considered that other alternative sites had reasonably been investigated and discounted in the search for appropriate sites. It should be acknowledged that every battery energy site was likely to come with some constraints and, in this case, Officers were satisfied that whilst development would lead to limited intrusion into the Green Belt, the benefits far outweighed the harm to its openness. To an extent this was already disrupted by existing development in the immediate vicinity, for example, the trunk road of the M5 and the development south of the A417. To further reduce the harm to the openness during the 40 year operational period, Officers had agreed a condition whereby the northern access track would be removed once construction was complete and the development would also be screened by significant hedge and tree planting. Officers had not identified other significant harms in terms of landscape, amenity, highways or material considerations against development and recommended the application be permitted.
- 73.35 The Chair invited the applicant's representative to address the Committee. The applicant's representative explained there was clear recognition at both a national and local level of the urgency to tackle climate change and reduce carbon emissions. The most recent version of the National Planning Policy Framework provided policy support recognising that battery storage was renewable energy infrastructure and the recently designated National Policy Statements on energy were material planning considerations and classified battery storage as critical national infrastructure. There could be no doubt this application delivered on the principle of sustainable development which, along with wider environmental benefits, was noted as weighing significantly in favour of this type of development by Inspectors in allowing numerous appeals for battery storage in Green Belt locations reflecting the positive policy stance and clearly demonstrating government support for battery storage. Decentralised energy storage was essential to deliver net zero targets and, according to the National Grid, up to 35GW of storage capacity would be needed by 2050 across the country; this development would contribute towards those targets. Tewkesbury Borough Council has declared a climate emergency and had an ambition to be carbon neutral by 2030. Each cycle of the batteries would deliver back onto the grid the equivalent of the daily electricity consumption of 5,000 homes in Gloucestershire, stabilising the grid and facilitating greater deployment of clean renewable energy. To develop a project like this, three things were needed: a viable grid connection offer; an interested landowner; and

land which was free from statutory environmental designations – this application delivered all three. Whilst the site was in the Green Belt, a site selection justification report had been submitted which considered potential alternative sites outside of the Green Belt including on existing business parks and the brownfield register – as set out by the Senior Planning Officer, those were robustly discounted for various reasons. As the site was in the Green Belt, very special circumstances were required to be demonstrated and, in this case, included: the urgent need for renewable energy infrastructure to be deployed at a scale to support the UK's legally binding commitment to net zero; the declared climate emergency and commitments made by Tewkesbury Borough Council; proximity to a grid connection with capacity; temporary and reversible nature of the development; limited scale of the development to minimise landscape impact; significant biodiversity net gain amounting to 37% which was almost four times the legal requirement; and a significant proportion of the site dedicated to landscape and biodiversity enhancements which delivered farm diversification to support the rural economy. With the exception of the Parish Council there were no other objections and the application was acceptable in relation to all material planning considerations. Therefore, she urged the Planning Committee to note the urgent need for the development and the associated significant benefits it would bring, and respectfully requested the planning application be approved, in line with the Officer recommendation.

- 73.36 The Chair indicated that the Officer recommendation was to permit the application subject to the amended conditions as set out in the Additional Representations Sheet, and he sought a motion from the floor. A Member noted that other potential sites had been considered and Staverton, in particular, had been dismissed having been identified as a major employment allocation; however, in her view that site would be much more suitable in terms of loss of Green Belt and due to the existing road infrastructure and electricity substation so she asked for an explanation as to why those factors did not amount to very special circumstances. The Senior Planning Officer advised that a very comprehensive site selection report had been submitted with the application and finding a site for battery storage was very difficult due to the nature of the development. Page No. 159, Paragraph 8.22 of the Committee report set out the constraints which existed in terms of finding suitable sites. Staverton was allocated for employment and justifying a battery storage use on employment land would be difficult as that use would be displaced elsewhere leading to other difficulties. Officers were comfortable the site selection report had looked at alternative sites and assessed them in sufficient detail to discount them, leaving the only viable option to look at a site in the Green Belt. A Member noted there would be CCTV on the site when it was built and questioned whether a condition could be included to ensure the site was not lit at night in order to retain the dark skies. In response, the Senior Planning Officer advised that lighting would be conditioned via the ecological management plan, albeit that was in relation to ecology, so another condition could be included to secure retention of dark skies.
- 73.37 It was proposed and seconded that the application be permitted in accordance with the Officer recommendation subject to an additional condition to ensure retention of dark skies. A Member accepted the need for facilities such as this but got the impression this site had been selected as the 'best of the worst' rather than being suitable in its own right. She had a problem with the further loss of Green Belt and the units had a very industrial feel. The A417 set a boundary of sorts with the area on one side being Green Belt and she felt it was important to retain that as such. The impact on the views had been dismissed in the Committee report and she raised concern in relation to Page No. 167, Paragraph 8.92 which set out that Heavy Goods Vehicle (HGV) traffic would be directed through Churchdown. Another Member felt there was a faster route than the one suggested through the village and past schools, particularly as there would also be another construction site on Cheltenham Road East, and she asked if it was possible to make changes to

the transport plan so that HGV traffic could turn left to Hucclecote and then onto the M5. In response, the Senior Planning Officer clarified that the construction period would be approximately six months and it was anticipated there would be eight two-way HGV movements per day Monday-Friday excluding Bank Holidays. Whilst she did not think it was a reason to refuse the application, the Member questioned why that particular route had been chosen and the County Highways representative advised that the applicant had looked at where material would be sourced from and where it needed to get to and had presented that route in the application. Another Member asked if it was possible to include a condition to ensure that mature planting was required to ensure screening happened more quickly and the Senior Planning Officer advised that could be looked at as part of the landscaping plan which would be secured by condition.

73.38 Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** subject to the amended conditions as set out in the Additional Representation Sheet and an additional condition to secure retention of dark skies.

23/00673/FUL - Box Farm, Stockwell Lane, Woodmancote

73.39 This was a Technical Details Consent application for the construction of one self-build dwelling following approval of Permission in Principle ref: 21/00144/PIP. The Planning Committee had visited the application site on Friday 19 April 2024.

73.40 The Planning Officer advised that the application was for a new detached dwelling and garage at Box Farm in Woodmancote. The site was located within the Cotswolds National Landscape and a Committee decision was required as the Parish Council had objected on several grounds including harm to the surrounding landscape, design and drainage. With regards to the design, the proposed dwelling would have mainly traditional Cotswold architectural features and the external materials - natural Cotswold stone walls and stone tiled roof - would be appropriate to the character of the area. It would also be of a very similar size and design to the approved replacement dwelling next door at Beech Cottage as shown on the proposed streetscene elevation. Several aspects of the proposal would comply with the positive design features as set out in Box 9 of the Woodmancote Neighbourhood Development Plan which included Cotswold Stone walling, a generous sized garden, off-street parking only, soft landscaping, two storey and a generous plot size. With regard to landscape impact, the visual impact of the development from distant views would not be considered prominent due to its relationship with existing development and no objections had been raised by the Landscape Officer or Tree Officer. In relation to drainage, a detailed drainage strategy had been submitted and surface water would be discharged into attenuation crates. The attenuation had been designed to cater for all storms up to and including one in one hundred years, plus a 40% allowance for climate change. Foul water would be discharged through a traditional below ground gravity system and would flow to the existing Severn Trent asset via a new manhole connection in Stockwell Lane; the Drainage Advisor has been consulted and raised no objections. The drainage report discussed the use of water butts; however, exact details had not been provided so an additional condition was recommended, and had been agreed with the applicant's agent, to secure this information prior to the occupation of the dwelling. Overall, the proposed dwelling was considered to be of a suitable size and design and there would be no detrimental impact on the landscape or the residential amenity of neighbouring dwellings. As such, the Officer recommendation was to permit the application.

- 73.41 The Chair invited the applicant's agent to address the Committee. The applicant's agent advised that three years ago, almost to the day, he had spoken at this Committee to set out why this was an acceptable site for the construction of one dwelling. The Committee had agreed and the application for Permission in Principle was approved unanimously; this application now sought Technical Details Consent for the dwelling. All technical consultees were supportive of the development, including the Biodiversity Officer, Conservation Officer, Drainage Officer, Environmental Health Officer, Landscape Officer, Tree Officer and County Highways Officer. The reason for referring this application to the Committee related primarily to the Parish Council's dislike of the design of the dwelling; however, as detailed in the Committee report, the dwelling would be constructed with Cotswold stone walls, a stone tiled roof and traditional Cotswold stone window frames, whilst also incorporating some interesting contemporary architectural features on the rear elevation. As already mentioned by the Planning Officer, the dwelling had been designed in an entirely appropriate manner for an infill plot on the edge of the Cotswolds National Landscape. The applicant's agent understood that questions had been raised on the Planning Committee Site Visit in relation to drainage and advised that the foul and surface water drainage strategy had been independently verified by the Council's Drainage Officer who had declared it to be sound. Foul water would be discharged via a traditional underground gravity system and would flow to the existing Severn Trent Asset via a new manhole connection on Stockwell Lane. Condition 7 required this infrastructure to be installed before occupation of the dwelling and, at the request of the Planning Officer, the applicant was also happy to agree to another condition securing the installation of water butts prior to the occupation of the dwelling. He reiterated this was an application for Technical Details Consent, and all technical consultees were supportive of the proposal, therefore, he respectfully requested that Members vote in favour of the Officer recommendation.
- 73.42 The Chair indicated that the Officer recommendation was to permit the application, subject to an additional condition to secure the installation of water butts prior to occupation of the dwelling, and he sought a motion from the floor. A Member drew attention to condition 10 which set out that the dwelling would not be occupied until the means of enclosure to that plot had been installed in accordance with details that had been approved by the Local Planning Authority to provide adequate privacy but given that the dwelling was in an elevated position, she questioned what that condition was trying to achieve. She also noted there were several existing trees and asked if they were to be retained. In response, the Planning Officer advised there was substantial hedgerow and trees along the front and the majority of existing landscaping would remain; however, if there were to be additional fencing, this would be covered by condition to ensure it was sensitive to the area.
- 73.43 It was proposed and seconded that the application be permitted in accordance with the Officer recommendation. A Member was mindful of the issues with water run-off on Stockwell Lane and was pleased the applicant had done all they could to minimise this and he thanked Officers for insisting on the inclusion of the condition regarding water butts. Upon being put to the vote, it was

RESOLVED That the application be **PERMITTED** in accordance with the Officer recommendation, subject to an additional condition to secure the installation of water butts prior to occupation.

PL.74 CURRENT APPEALS AND APPEAL DECISIONS UPDATE

74.1 Attention was drawn to the current appeals and appeal decisions update, circulated at Pages No. 211-214. Members were asked to consider the current planning and enforcement appeals received and the Department for Levelling Up, Housing and Communities appeal decisions issued.

74.2 It was

RESOLVED That the current appeals and appeal decisions be **NOTED**.

The meeting closed at 12:55 pm

Appendix 1

ADDITIONAL REPRESENTATIONS SHEET

Date: 23 April 2024

The following is a list of the additional representations received since the Planning Committee Agenda was published and includes background papers received up to and including the Monday before the meeting.

A general indication of the content is given but it may be necessary to elaborate at the meeting.

Item No	
5a	<p>24/00129/PIP</p> <p>Land Off Bozard Land, Tredington</p> <p>Additional Documents/Representations</p> <p>Since writing the Committee report, an additional six documents have been submitted from the applicant. These documents show the engagement with Historic England since the previous PIP application 22/00791/PIP was refused.</p> <ol style="list-style-type: none"> 1. Letter to previous Interim Development Management Manager. 2. Email from Historic England. 3. Pre-Application Advice from Historic England dated 8 August 2023. 4. Email from Historic England. 5. Email from Applicant to Historic England. 6. Comments from Historic England on the draft plans for the current application dated 16th January 2024. <p>The submitted documents do not provide any further information for the Council to assess and document 6 was provided within Appendix 1 of the Planning Statement submitted with the application.</p> <p>It should be noted that Historic England provided comments on this application, dated 12 March 2024, with its recommendation that <i>"Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205 and 206 of the NPPF."</i></p> <p>The comments set out within the six documents are superseded by the comments from Historic England on this application dated 12 March 2024.</p> <p>Para 2.1 to read</p> <p>"Approximately 0.6 hectares" and not 2 hectares. This was an administrative error on the part of the Planning Officer but it does not have an impact on the overall material planning consideration of this case.</p>

5b	<p>23/00275/APP</p> <p>Plots 3 & 4, Gloucester Business Park</p> <p>The application has been assessed by the Local Highway Authority following the February Planning Committee meeting and receipt of amended plans repositioning the site access to Building 4.2 further away from an existing signalised junction and provision of footpath to the southern side of Lobleys Drive.</p> <p>The proposed amendments are considered to be acceptable and the Highways Officer has raised no objections subject to the additional conditions set out below.</p> <p>Discussions in respect of surface water drainage arrangements are ongoing.</p> <p>Recommendation</p> <p>The recommendation remains that authority is DELEGATED to the Development Management Team Manager to APPROVE the application subject to no adverse observations from the Drainage Adviser, the conditions set out in the Committee report, additional conditions set out below and any additional or amended conditions following advice from the Drainage Adviser.</p> <p>Additional Conditions</p> <p>11. Prior to occupation details of HGV routing signage shall be submitted to and approved by the Local Planning Authority. No part of the development shall be occupied until the approved signage has been implemented.</p> <p>Reason: To ensure safe and suitable access.</p> <p>12. Notwithstanding the submitted details prior to occupation details of footways around the Plots 3 and 4 alongside the adjacent road frontages shall be submitted to and approved by the Local Planning Authority connecting to existing footways. The approved footways shall be constructed prior to occupation.</p> <p>Reason: To ensure safe and suitable pedestrian accessibility.</p> <p>13. Notwithstanding the submitted details prior to occupation details of demarcated clear paths from all accesses to building entrances shall be submitted to and approved by the Local Planning Authority connecting to existing footways. The approved footways shall be constructed prior to occupation.</p> <p>Reason: To ensure safe and suitable pedestrian accessibility.</p> <p>14. The development hereby approved shall not be brought into use until the accessible car parking spaces have been provided and thereafter shall be kept available for disabled users as approved.</p> <p>Reason: To provide safe and suitable access for all users.</p> <p>15. The Development hereby approved shall not be until sheltered, secure and accessible bicycle parking, and showers have been provided in general accordance with submitted plans details to be submitted and approved in writing by the Local Planning and Highway Authorities. Notwithstanding submitted details lockers for staff shall also be provided. These facilities shall be maintained for their purposes thereafter.</p> <p>Reason: To promote sustainable travel and healthy communities.</p>
----	---

5c	<p>23/00276/APP</p> <p>Plot 5, Gloucester Business Park,</p> <p>Discussions in respect of surface water drainage arrangements are ongoing.</p> <p>The Local Highway Authority raises no objections to the proposal; however, the Officer has requested the additional conditions in consistency with those for Plots 3 & 4 which are set out below.</p> <p>Recommendation</p> <p>The recommendation remains that authority is DELEGATED to the Development Management Team Manager to APPROVE the application subject to no adverse observations from the Drainage Adviser, the conditions set out in the Committee report, additional conditions set out below and any additional or amended Conditions following advice from the Drainage Adviser.</p> <p>Additional Conditions</p> <p>15. Prior to occupation details of HGV routing signage shall be submitted to and approved by the Local Planning Authority. No part of the development shall be occupied until the approved signage has been implemented.</p> <p>Reason: To ensure safe and suitable access.</p> <p>16. Notwithstanding the submitted details prior to occupation details of demarcated clear paths from all accesses to building entrances shall be submitted to and approved by the Local Planning Authority connecting to existing footways. The approved footpaths shall be constructed prior to occupation.</p> <p>Reason: To ensure safe and suitable pedestrian accessibility.</p> <p>17. The development hereby approved shall not be brought into use until the accessible car parking spaces have been provided and thereafter shall be kept available for disabled users as approved.</p> <p>Reason: To provide safe and suitable access for all users.</p> <p>18. The Development hereby approved shall not be until sheltered, secure and accessible bicycle parking, and showers have been provided in general accordance with submitted plans details to be submitted and approved in writing by the Local Planning and Highway Authorities. Notwithstanding submitted details lockers for staff shall also be provided. These facilities shall be maintained for their purposes thereafter.</p> <p>Reason: To promote sustainable travel and healthy communities.</p>
5e	<p>23/01078/FUL</p> <p>Land North Of A417, Brockworth Road, Churchdown</p> <p>Case Officer</p> <p>1. The Case Officer considers that Condition 8 in the Committee report should not be a pre-commencement condition. It is recommended the first sentence of Condition 8 is replaced by:</p> <p>Prior to the installation of any battery units, details of a system for fire detection and suppression including the management of contaminated water shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency.</p>

2. The Case Officer recommends that the following sentence is added to the start of Condition 16:

The development hereby permitted is granted for a period of 40 years from the date of first operation of the site.

The existing first sentence of Condition 16 should be replaced by:

Not less than 12 months before the end of this period, or not less than 12 months from the cessation of energy storage, whichever is the sooner, a Decommissioning Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

Planning Committee

Date	23 May 2024
Case Officer	James Stanley
Application No.	24/00109/FUL
Site Location	Land To The South Of Maidenhall, Maidenhall, Highnam
Proposal	Retrospective application for the erection of a boundary fence.
Ward	Highnam With Haw Bridge
Parish	Highnam
Appendices	Site Plans and Elevation
Reason for Referral to Committee	The Parish Council has objected to the application.
Recommendation	Refuse

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=S8KUR7QDH0700>

- 1.1 This application seeks to regularise the erection of a 2 metre high, close boarded timber boundary fence approximately 51.5 metres in length, which has been erected to enclose an area of land.

2. Site Description

- 2.1 This application relates to a triangular parcel of land on the corner of Maidenhall and Oakridge which is approximately 0.07 hectares in size. The land is not related to any residential dwellings but forms an area of green open space within the wider residential estate. There are 3 trees within the site boundary which are subject to a Tree Preservation Order (TPO) and the remaining area is laid to grass. Approximately just over half of the site is designated as a Locally Important Open Space.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
23/01106/CM	Register land as a Town Village Green	DONE	08.12.2023

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 Highnam Parish Council – Objection on the following grounds:

- Contrary to Policy LAN4 of the TBLP.
- Contrary to TBC Open Estates – General Planning Guidance 1979.
- The land is subject to a covenant.

The Parish have also stated that there has been a local petition objecting to the fence with 1041 signatories at the time of their response.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1 The application has been publicised through the posting of neighbour notification letters and site notice being displayed for a period of 21 days.
- 5.2 At the time of writing the report, 99 Letters of representation have been received. 98 of these object to the application with the remaining 1 letter being in support. The representations are summarised below.

5.3 Support

- Tidied up a piece of rough land.

5.4 Object

- Encloses a plot which has been an open amenity space.
- Is contrary to the guidelines of Tewkesbury Borough Council's 'Open Plan Estates document'.
- Unacceptable loss for biodiversity.
- Land is subject to a covenant.
- Does not reflect Highnam's NDP vision to maintain green spaces and develop their nature conservation potential.
- Restricts proper view of the 3 TPO'd trees, 2 of which have Heritage Asset Value.
- Restricts access to one of Highnam's pollinator patches.
- Would have a negative effect on the Village Green Status application.
- The fence is an eyesore.
- Would set a dangerous precedent.
- Contravenes Policy LAN4 of the Tewkesbury Borough Plan 2011-2031.
- Loss of privacy.
- Harm the character of the area.
- Loss of light.
- Setting of listed buildings and conservation area.
- Noise, Fumes, Smells.
- Risk of Flooding.
- It is above the legal height for a fence.
- Prevents the movements of animals including hedgehogs.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- Policy SD4 (Design Requirements)
- Policy SD14 (Health and Environmental Quality)
- Policy INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- Policy LAN4 (Locally Important Open Spaces)
- Policy NAT3 (Green Infrastructure: Building with Nature)

- 6.5** Neighbourhood Plan
Highnam Neighbourhood Development Plan – 2011-2031
– Policy H2

7. Policy Context

- 7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Design and Visual Amenity

- 8.1** Policy SD4 of the Joint Core Strategy and Section 12 of the NPPF sets out requirements for high quality design.
- 8.2** JCS Policy INF3 and TBLP Policy NAT3 ensures that existing green infrastructure will be protected in a manner that reflects its contribution to ecosystem services (including landscape/townscape quality).
- 8.3** TBLP Policy LAN4 of the TBLP ensures that locally important open spaces as identified on the policies map will be protected from new development that would adversely affect their open character and appearance. Development resulting in an adverse effect on the open character and appearance of a Locally Important Open Space will only be permitted where it would result in benefits to the community that would outweigh the importance of the open space.
- 8.4** Policy H2 of the Highnam NDP states that the design and visual character of any new development in Highnam should make a positive contribution to a sense of place, demonstrating both design quality and sensitivity to the existing environment.
- 8.5** The proposal seeks to regularise the erection of a 2 metre high, close boarded timber fence spanning approximately 51.5 metres in length. Prior to the fence being erected this was open parcel of land.

- 8.6** Parcels of incidental green open space are a common and characteristic feature throughout Highnam, especially along Oakridge where they are usually found on the outside bends of the road. This is the case with this application site and the importance is further amplified through over half of the site being designated as a Locally Important Open Space by virtue of its amenity value to the public, which is clearly visible and important to the character of the settlement and the street scene.
- 8.7** The erection of a large expanse of fencing, with gravel boards and concrete posts at each panel, on the outside of this bend, effectively encloses the open space and has an adverse impact upon the open character of the site and is also out of character for the area. No evidence has been put forward that would suggest that there would be any benefit to the community which would outweigh the importance of the open space.
- 8.8** There is other fencing that can be seen in the immediate vicinity which is opposite to this site. However, this is set back from road by a substantial distance unlike in this proposal, where it is only slightly set back from the pavement. Furthermore, this fencing is on the inside of the bend in a less prominent location and is at the rear of residential gardens whilst being broken up by brick walls.
- 8.9** Within the plot are 3 trees (2 Oaks & 1 Cherry). All 3 of these trees are covered by Tree Preservation Order 427 which was confirmed on 14th December 2023 with no objections received. The purpose of this TPO was to protect the trees due to the amenity value they bring to the area.
- 8.10** The erection of the fencing closes off this open corner and restricts views of and the setting of the protected trees. Consequently, the development significantly diminishes the visual amenity value of the area.
- 8.11** The erection of the fence is out of keeping with the area, adversely impacts the open character and appearance of the area and would diminish the public amenity value of the protected trees. As such, the proposal is contrary to Policies SD4 and INF3 of the JCS, Policies LAN4 and NAT3 of the TBLP, and Policy H2 of the Highnam NDP.

Effect on the Living Conditions of Neighbouring Dwellings

- 8.12** Policy SD14 of the JCS requires that new development must cause no harm to local amenity including the amenity of neighbouring occupants.
- 8.13** The impact of the proposal upon neighbouring properties has carefully been assessed and it is considered that there would not be an undue impact upon their amenity in accordance with Policy SD14 of the JCS.

Other Matters

- 8.14** It has been noted that within the objections received from both the Parish Council and Local Residents, reference has been made to both the TBC Open Estates – General Planning Guidance 1979 and a covenant on the land.
- 8.15** The TBC Open Estates – General Planning Guidance 1979 is an outdated policy which bears no weight upon the consideration of the proposal.

8.16 Furthermore, restrictive covenants are not material planning considerations. Enforcement of restrictive covenants is a distinct legal concept separate to the normal operation of the planning system.

9. Conclusion

9.1 It is considered that the proposal would be unduly harmful to the open character and appearance of the site and the surrounding area. It would also result in an unacceptable impact on views of and the setting of the protected trees, thereby diminishing the visual amenity of the site. Accordingly, it would have a significant adverse effect on the open character and appearance of the designated Locally Important Open Space.

10. Recommendation

10.1 The proposal conflicts with relevant policies as outlined above, it is therefore recommended the application be **refused**.

11. Reasons

1 The fence, by virtue of its size, design and siting, would have a significant adverse effect on the open character and appearance of the designated Locally Important Open Space. As such, the proposal is contrary to the requirements of Policy LAN4 of the Tewkesbury Borough Plan 2011-2031 (2022).

2 The fence, by virtue of its size, design, and siting, would significantly impact the open character of the site, which would result in unacceptable harm to the visual amenity of the site and the character and appearance of the wider residential area. As such, the proposal is contrary to Policies SD4 and INF3 of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 (2017), Policy NAT3 of the Tewkesbury Borough Plan 2011-2031 (2022), Policy H2 of the Highnam Neighbourhood Development Plan 2011-2031 (2017) and Section 12 of the NPPF.

12. Informatives

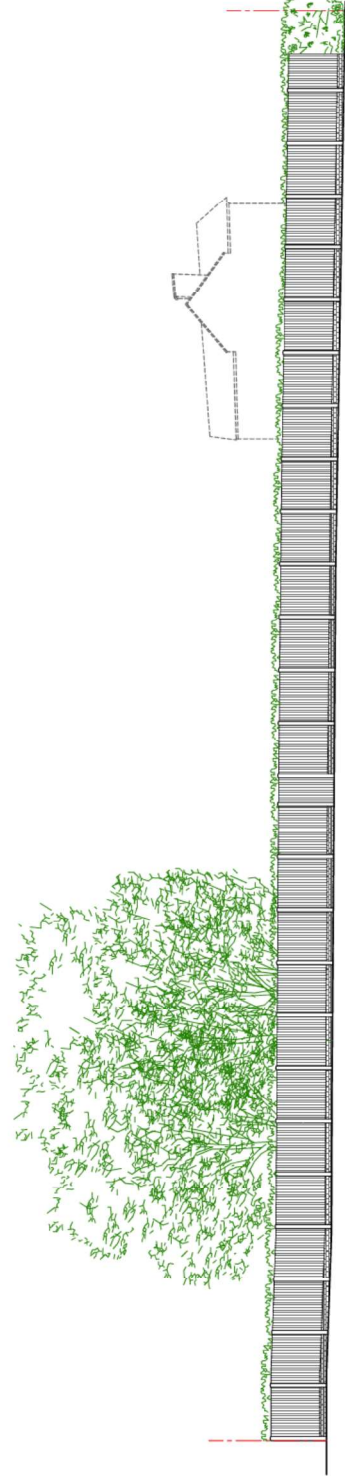
1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding. However, as a consequence of the clear conflict with Development Plan Policy no direct negotiation during the consideration of the application has taken place.



BLOCK PLAN - 1:500



SITE LOCATION PLAN - 1:1250



AS PROPOSED ELEVATION - 1:100

THIS BAR SHOULD SCALE 5M @ 1:100

- NOTES
- 1) ALL DIMENSIONS TO BE CHECKED ONSITE PRIOR TO CONSTRUCTION (INTERNAL DIMS MAY CHANGE DEPENDING ON EXTERNAL WALL CONSTRUCTION METHOD)
 - 2) A STRUCTURAL ENGINEER MUST BE CONSULTED FOR ALL STRUCTURAL WORKS
 - 3) WORKS TO BE CARRIED OUT BY COMPETENT, QUALIFIED CONTRACTORS
 - 4) ALL WORKS TO BE CARRIED OUT UNDER A LOCAL AUTHORITY BUILDING NOTICE AND MAY VARY. CONSTRUCTION METHODS MAY VARY ACCORDING TO BUILDERS DETAILS
 - 5) ALL NOTES ARE GIVEN BASED ON STANDARDS BUILDING REGULATIONS THESE DRAWINGS ARE PRODUCED FOR PLANNING ONLY.

HOMEPLAN
 DRAFTING SERVICES
 ARCHITECTURE PLANNING DESIGN
 01203 252525
 01203 252525
 01203 252525

CLIENT/PROJECT: [REDACTED]
 RETROSPECTIVE APPLICATION FOR ERECTION OF FENCE TO LAND SOUTH OF MAIDENHALL HIGHWAY
 TITLE: AS EXISTING & PROPOSED SITE PLANS
 SCALE: 1:1250 & 1:500 @ A1
 DATE/DRAWING NO: MARCH 2024
 LMS-ANF-001A

Planning Committee

Date	23rd May 2024
Case Officer	Jonny Martin
Application No.	23/00598/FUL
Site Location	Land Off Wainlode Lane, Norton
Proposal	Demolition of existing workshop building and store, erection of a detached single storey dwelling and garage.
Ward	Severn Vale South
Parish	Norton
Appendices	Site Layout Plan 22 Rev A Site Location Plan Ref 1000037319 Proposed Floor Plans 23 Rev A Proposed Elevations 24 Rev Drainage Plan Boundary Treatment Plan
Reason for Referral to Committee	Parish Objection
Recommendation	Permit

Site Location



1. The Proposal

Full application details are available to view online at:

<http://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=R0B0F1QDHAH00>

- 1.1 Planning permission is sought for the demolition of an existing workshop building and store and the erection of a detached single storey dwelling and garage.
- 1.2 The new dwelling would be accessed via an existing track off Wainlode Lane and would provide a two bedrooms bungalow with a detached double garage. A parking and turning area would be provided at the front of the dwelling and private amenity space would be located to the east of the dwelling.

Amendments

- 1.3 Since the application was submitted, the following additional details have been submitted:
 - Amended plans re-siting the dwelling and garage to allow for a frontage to Wainlode Lane.
 - A Preliminary Ecological Assessment (PEA).
 - Drainage details

2. Site Description

- 2.1 The application site relates to a parcel of land adjacent to the settlement boundary of Norton. The site is accessed off Wainlode Lane via an existing access track. The site comprises two existing buildings which are both to be demolished. The workshop building is single storey, erected circa 1980's, constructed of concrete block and render and has also been used for storage purposes in connection with the open land to the east. The storage shed is in a dilapidated state and is constructed of tin sheeting and timber clad gable end walls.
- 2.2 Norton is identified as a Serviced Village, however the main part of the site is located outside of but adjacent to the defined settlement boundary. There are residential dwellings to the south-east and south of the site, an agricultural barn to the west with more dwellings to the west of the agricultural barn along Cook Lane. To the north are open fields and countryside.
- 2.3 The site is located within Flood Zone 1 and there are no landscape or environmental designations relating to the site.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
14/01095/FUL	Hybrid application for the erection of 4 dwellings (full application for 1 dwelling and outline application for 3 dwellings with all matters reserved for future consideration)	PER	05.03.2015
15/00790/APP	Reserved matters application (pursuant to 14/0109/FUL) for the erection of one dwelling (plot 2).	PER	10.11.2015
16/00276/APP	Reserved matters application for plots 2 and 3. House type previously approved for plot 2 (under 15/00790/APP) to be located on plot 3 and new house type for plot 2.	PER	09.05.2016
17/00539/APP	Reserved matters application for a detached dwelling (pursuant to 14/01095/FUL).	PER	12.04.2018

4. Consultation Responses

Full copies of all the consultation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

4.1 Norton Parish Council – Object

- Outside the village settlement boundary as defined in NDP
- Site adjoins open countryside
- A precedent could be set for development on the adjoining fields.
- Site is adjacent to Cook Lane and this part of the village is known to flood
- Foul water often backing up into properties on Cook Lane and Lime Grove
- Property can only exacerbate the problem.

The Parish Council were reconsulted on the amended plans and in light of the Interim Housing Position Statement (November 2023). However, the Parish maintain their objection to the development.

4.2 Building Control Officer – No objection.

4.3 County Highways Officer – No objection subject to conditions.

4.4 Environmental Health Officer – No objection.

4.5 Flood Risk & Management Officer – No objection subject conditions.

4.6 Severn Trent - No objection

4.7 Ecology – No objection subject to conditions.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at <https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1** The application has been publicised through the posting of neighbour notification letters and a site notice for a period of 21 days. 2 letters of objection and 1 letter of support have been received in response. The comments raised are summarised below:

Objections:

- Outside village boundary;
- Additional property would impact foul and surface water drainage;
- Footprint exceeds existing buildings;

Support:

- It makes sense to use this parcel for residential development as there is already good infrastructure in place;
- In keeping with existing properties;
- Won't impact views to surrounding land.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG)

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

- Policy SP1 (The Need for New Development)
- Policy SP2 (The Distribution of New Development)
- Policy SD4 (Design Requirements)
- Policy SD6 (Landscape)
- Policy SD9 (Biodiversity and Geodiversity)
- Policy SD10 (Residential Development)
- Policy SD11 (Housing Mix and Standards)
- Policy SD14 (Health and Environmental Quality)
- Policy INF1 (Transport Network)
- Policy INF2 (Flood Risk Management)
- Policy INF3 (Green Infrastructure)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

- Policy RES 2 (Settlement Boundaries)
- Policy RES 3 (New Housing Outside Settlements)
- Policy RES5 (New Housing Development)
- Policy RES13 (Housing Mix)
- Policy LAN2 (Landscape Character)
- Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
- Policy ENV2 (Flood Risk and Water Management)
- Policy TRAC9 (Parking Provision)
- Policy DES1 (Housing Space Standards)

6.5 Neighbourhood Plan – Down Hatherly, Norton and Twigworth NDP 2011-2031

- Policy H1 Housing Development in Norton Parish

7. Policy Context

- 7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.
- 7.2** The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.
- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

Five Year Housing Land Supply

- 8.1** The NPPF requires local planning authorities to demonstrate an up-to-date five year supply of deliverable housing sites (or a four year supply if applicable). Where local authorities cannot demonstrate a five year supply of deliverable housing sites, Paragraph 11 of the NPPF sets out that housing policies contained within development plans should not be considered up-to-date.
- 8.2** Further to the recent Trumans Farm, Gotherington Appeal decision (ref. 22/00650/FUL), and subsequently published Tewkesbury Borough Five Year Housing Land Supply Statement October 2023, the Council's position is that it cannot at this time demonstrate a five year supply of deliverable housing land. The published position is that the Council's five year supply of deliverable housing sites is 3.4 years supply of housing land. Officers consider this shortfall is significant. The Council's policies for the provision of housing are therefore out of date in accordance with footnote 8 of the NPPF.

- 8.3** Paragraph 11(d) of the NPPF therefore applies and states that where policies which are most important for determining the application are out of date, permission should be granted unless: i) the application of policies in the Framework that protect assets of particular importance provides a clear reason for refusing the development; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole

Principle of development

- 8.4** Criterion 4 (ii) of Policy SD10 'Residential Development' of the JCS sets out that on sites that are neither allocated or previously-developed land, housing development will be permitted, except where otherwise restricted by policies within district plans, where it would represent infill within the existing built up areas of Tewkesbury Borough's towns and villages.

- 8.5** Policy RES2 of the TBLP states that within defined settlement boundaries of the Tewkesbury Town Area, the Rural Service Centres, the Service Villages and the Urban Fringe Settlements (which are shown on the policies map) the principle of residential development is acceptable subject to the application of all other policies in the Local Plan.

- 8.6** Policy H1 of the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan (DHNTNDP), requires housing development in Norton to be within the settlement boundary as defined on Map M1. Outside of the settlement boundary, development will only be allowed as an exception if it conforms to policies in the Core Strategy and Local Plan.

- 8.7** The application site is not located within the defined settlement boundary of Norton as shown on the policies map of the TBP and is not within the defined settlement boundary as shown on map M1 of the DHNTNDP. However, the site access drive lies within the defined settlement boundary while the main part of the site lies outside of but adjacent to the boundary set out within the TBP and the DHNTNDP. The settlement boundary runs along the northern boundary to the plots sited adjacent to Wainlodes Lane and to the west of the access drive.

- 8.8** Of relevance to the consideration of this application and of significance in respect of the defined built-up area boundary is a Supreme Court decision, *Julian Wood v Secretary of State for Communities and Local Government and Gravesham Borough Council* (February 2015), which provides helpful clarification of what constitutes a village. Paragraph 12 of the Judgement states:

"...while a village boundary as defined in a Local Plan would be a relevant consideration, it would not necessarily be determinative, particularly in circumstances where the boundary as defined did not accord with the inspector's assessment of the extent of the village on the ground."

- 8.9** This decision identified that village boundary limits should not definitively follow the settlement boundaries set by the Local Plan and should instead be assessed by what is on the ground, considering the physical and functional relationship of the site to the village as a whole.

- 8.10** As mentioned above, the dwelling would be accessed via an existing access track from Wainlode Lane. The dwelling would be located to the north of the residential dwelling called Willow House. Willow House was granted permission along with three other dwellings (to the east) under planning permission 14/01095/FUL and the current application site was within the red line boundary of permission 14/01095/FUL with the existing buildings shown on the site layout plan.
- 8.11** The application site is also bound by an existing agricultural building to the west and a further 15 dwellings are located to the west along Cook Lane though these are more dispersed in character and are not within the defined settlement boundary and have a different character to the main core of the village. Residential dwelling are also located to the south of the site on the other side of Wainlode Lane.
- 8.12** The application site contains two existing buildings which are to be demolished to accommodate the proposed new dwelling and garage. The existing workshop building is not considered to be of a design which contributes to the character and appearance of the area given its concrete block and render external appearance. The storage shed is in a dilapidated state and is constructed of tin sheeting and timber clad gable end walls. The proposal would see the demolition of these two buildings which are in a poor state of repair and the proposal would provide a new dwelling and associated garage.
- 8.13** Since the original application was submitted, amended plans have been received to reposition the proposed buildings. The dwelling is now proposed to be sited to the north-western part of the site and would be visible from Wainlode Lane. As a result the dwelling would be better related to the character of the village providing a frontage to the street and relating to existing depth of development to the west.
- 8.14** The application site is adjacent to the settlement boundary and would be accessed via an existing access track which lies within the settlement boundary and is bound by residential development/existing built development to the southeast, south and west. It is considered that the development would make use of an existing under-developed plot and would be well related to existing built development in the settlement and would therefore comprise infill development in accordance with Policy SD10 of the JCS and principles set out in the Council's Interim Housing Position Statement (November 2023) to support small scale development adjacent to existing settlements.
- 8.15** The site has a clear physical and functional relationship to the Service Village and is well related to the existing built-up frontage along Wainlode Lane. The proposal is considered acceptable in principle subject to assessment of other material planning considerations set out below.

Design and Visual Amenity

- 8.16** Policy JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.17** Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.

- 8.18** Policy RES 5 of the TBLP requires new housing to be of a design and layout that respects the character, appearance and amenity of the surrounding area and is capable of being well integrated within it.
- 8.19** Policy H1 of the DHNTNDP requires new housing development in Norton to achieve a standard of design, scale and layout which is respectful of its surroundings.
- 8.20** Amended plans have been received to relocate the dwelling and the garage to provide a frontage onto the street. The new sitting of the dwelling ensures it is now visible from Wainlode Lane and as such the dwelling would be viewed in context with the existing built development and the form of the settlement.
- 8.21** The proposal will see the demolition of two outbuildings which are not considered to be of noteworthy design and are in a poor state of repair. The new dwelling and garage would both be single storey which would be commensurate with the height of the buildings to be demolished. This would ensure the new dwelling would not adversely impact on the existing properties to the south, mainly Willow House. The new dwelling is considered to be of a scale which is appropriate to its setting and would not be intrusive within the street scene.
- 8.22** The dwelling and garage would have a pitched roof design with the garage having a lower ridge height compared to the main house. This roof profile and single garage design would be in keeping with the dwellings surrounding the site to the south. The materials would be in keeping with the four dwellings to the south of the application site with facing brickwork and roof slates, however the precise details would need to be secured by condition
- 8.23** The proposal is considered to be of a layout, scale, design and massing that would be in keeping with the character and appearance of adjoining development and Norton Village and would be in accordance with Policy SD4 of the JCS, Policy RES 5 of the TBP and Policy H1 of the DHNTNDP.

Landscaping

- 8.24** Policy LAN2 of the TBP requires all development, through sensitive design, siting and landscaping to be appropriate to and integrated into the existing landscape setting.
- 8.25** As shown on the proposed site plan, the proposal would provide a vehicle parking and turning area to the front of the dwelling and garage which would provide sufficient off street parking to serve the development.
- 8.26** In relation to soft landscaping, the site plan proposes new grass areas either side of the access track with a number of trees proposed to be planted to the frontage. The land to the east of the dwelling will be utilised as private amenity space and will be laid to lawn.
- 8.27** In relation to boundary treatment, the existing north and west boundaries are mature hedging which will be strengthened where necessary and retained. The southern boundary would comprise the existing timber fence along the rear garden of Willow House and this will remain unchanged. The new eastern boundary to define the residential curtilage will be constructed of a timber post and rail fence. These details are acceptable in principle however full details of hard and soft landscaping along with details of tree planting and boundary treatment would need to be secured by condition.

- 8.28** Overall, the proposed development would integrate with the character of the area and would not result in any undue landscape harm.

Residential Amenity

- 8.29** JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.
- 8.30** The proposal would provide a single storey two bedroom dwelling with a gross internal area of 100sqm. This would exceed the Nationally Described Space Standards and would provide acceptable living conditions for any future occupiers. Similarly, the proposal would benefit from a generous garden area which would meet the reasonable amenity requirements of future occupiers.
- 8.31** In terms of overlooking to Willow House, the new dwelling would be single storey and would have a separation distance of circa 30 metres from habitable room to habitable room. This would ensure the new dwelling would not result in any unacceptable overlooking to neighbouring properties. There would be circa 17 metres from the rear of Willow House and the rear amenity area for the new dwelling. Given the distances between the dwellings and the single storey nature of the dwelling and garage, the proposal would not lead to a loss of light or overbearing effects upon neighbouring properties and the northerly siting and single storey scale would not result in any adverse overshadowing.
- 8.32** The proposed dwelling would be set away from the neighbouring boundaries and as a result of its siting, design and scale would not be overbearing or result in adverse living conditions for the occupiers of neighbouring dwellings. Furthermore, the council's Environmental Health Officer has raised no objection to the proposed development in terms of noise or nuisance. The proposal would therefore accord with Policy RES5 of the TBLP and SD4 and SD14 of the JCS.

Drainage and Flood Risk

- 8.33** Policy INF 2, Flood Risk Management, of the JCS explains how development should minimise the risk of flooding, contribute to a reduction in existing flood risk, apply a sequential test for assessment of applications giving priority to land in Flood Zone 1, incorporate suitable Sustainable Drainage Systems (SuDS) where appropriate in the view of the local authority to manage surface water drainage: to avoid any increase in discharge into the public sewer system; to ensure that flood risk is not increased on-site or elsewhere; and to protect the quality of the receiving watercourse and groundwater.
- 8.34** Policy ENV 2, Flood Risk and Water Management, of the TBLP requires all proposals to incorporate sustainable drainage systems where appropriate and proportionate to the scale and nature of development proposed.
- 8.35** As confirmed by the Environmental Agency's Flood Map for Planning, the site is located within Flood Zone 1 and therefore at the lowest risk of flooding and appropriate for new residential development.

- 8.36** However, in the surrounding area Wainlode Lane is shown to be at high risk of surface water flooding. It is therefore important that the surface water runoff from this site is managed effectively. The proposals will increase the impermeable areas of the site and therefore the potential volume of surface water runoff. The application form indicates that a soakaway will be used for the management of surface water but limited details are provided at this time.
- 8.37** Soils mapping indicates Slightly acid loamy and clayey soils with impeded drainage. Infiltration testing results in accordance with BRE Digest 365 and details of ground water levels will be required to demonstrate whether soils on the site are suitable for infiltration. If this turns to be insufficient, an alternative receptor for the surface water discharge (from a sustainable drainage system) is available to the surface water sewer via plot 2 which owned and occupied by the applicant. Therefore, a feasible route of discharging surface water from the development in accordance with the discharge hierarchy has been identified.
- 8.38** The Council's drainage officer has reviewed the submitted information and has raised no objection however the detailed drainage design will need to be secured by condition.
- 8.39** In relation to foul water drainage, the site plan shows all foul sewage is proposed to discharge to the public foul sewer and on-site grey water tank. The Severn Trent drainage officer has reviewed the proposals and raises no objection.
- 8.40** A condition will be added to ensure an appropriate foul water connection is provided prior to the occupation of the dwelling.

Ecology

- 8.41** The NPPF sets out, inter alia, that when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity by encouraging opportunities to incorporate biodiversity in and around developments, especially where this can secure measurable gains for biodiversity. Policy SD9 of the JCS seeks to protect and, wherever possible enhance biodiversity, including wildlife and habitats. Policy NAT1 of the TBP states that development proposals that will conserve, and where possible restore and/or enhance, biodiversity will be permitted.
- 8.42** The application has been accompanied by a Preliminary Ecological Assessment (PEA) prepared by Wilder Ecology. The PEA identified the workshop & store buildings as having negligible potential for bats. The building works will be restricted to the areas of close mown grass & the two small patches of tall ruderal vegetation (which are annually cut). Section 5.1 of the PEA provides mitigation and reasonable avoidance methods for birds, newts, hedgehogs and bats.
- 8.43** Appendix 5 of the PEA shows proposed native hedgerow planting of native trees and shrubs. These details are acceptable in principle but would need to be secured by a detailed landscaping condition. Furthermore, bat and bird boxes are proposed to be installed as shown within appendix 5 of the PEA.
- 8.44** The Council's Ecologist has reviewed the updated PEA and has no objections to the proposal subject to conditions relating to compliance with the mitigation and enhancements and control of external lighting.

Access and Highway Safety

- 8.45** Policy INF1 'Transport Network' states that developers should provide safe and accessible connections to the transport network to enable travel choice for residents and commuters. TBP Policy RES5 requires proposal to make provision for appropriate parking and access arrangements and not result in the loss or reduction of existing parking areas to the detriment of highway safety.
- 8.46** The site is located in Norton which is identified as a Service Village. The application site is within walking distance of regular bus service stops served by the 71 from Gloucester to Tewkesbury approximately 300 metres away. Amenities within the village include a primary school, pub, playground, and village hall reducing reliance on private vehicles with the provision of sustainable transport options. The location is therefore considered to be accessible and sustainable.
- 8.47** The site plan has been amended to include the existing agricultural access between the new site driveway and the access to the adjacent barn site to provide a safe and suitable access. The proposed drive would be made up as bound hard standing within 5 metres of the carriageway nearside edge to prevent any loose material being brought onto the highway from vehicles and the drive would be arranged so that it drains within the site.
- 8.48** The Highway Authority has undertaken an assessment of the application and have advised that there would not be an unacceptable impact on highway safety or a severe impact on the operation of the highway network and that the proposal is acceptable subject to a condition to secure the provision of appropriate vehicular visibility splays, in the interest of highway safety.

Community Infrastructure Levy (CIL)

- 8.49** The development is CIL liable because it creates a new dwelling. The relevant CIL forms have been submitted.

9. Conclusion

- 9.1** Section 38(6) of the Town and Country Planning Act 1990 provides that, if regard is to be had to the development plan, the determination must be made in accordance with the development plan unless other material circumstances indicate otherwise. Section 70 (2) of the Act provides that the Local Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.
- 9.2** Given the principle of development is considered to be acceptable, officers have subsequently assessed the other material planning considerations. Following the receipt of amended plans it is considered that then proposal has overcome initial concerns in respect of design and siting and the application as proposed is considered acceptable in all respects.

Benefits

The public benefits of the proposal relates to, amongst others, the delivery of one house in a sustainable location, new construction jobs and social and economic benefits. The Council recognise that these benefits are very limited given the proposal is for one dwelling and the contribution that would make to the significant overall housing shortfall, nevertheless these are benefits of the proposed development. There will also be benefits in relation to tree planting, biodiversity enhancements and native hedge planting.

Harms

The only harm arising from this development is that the application site is located outside the defined settlement boundary of Norton as identified in the local and neighbourhood plans. However, given the application site is adjacent to the settlement boundary, would be accessed via an existing access track which is sited within the settlement boundary, is bound by residential development/existing built development to the south east, south and west, these harms are limited furthermore, this is tempered by the proposal constituting infill development as defined in the JCS.

Neutral

It has been established through the submission documents that subject to the imposition of appropriate planning conditions, the development would not give rise to unacceptable impacts in terms of design, highway safety, ecology, flood risk or residential amenity.

Overall Conclusion

The proposal is considered to be acceptable and there are no clear reasons for refusal in accordance with paragraph 11di and footnote 7 of the NPPF. The proposal is considered to be infill within Norton. The proposal is located in a sustainable location and would provide a small contribution to the Council's 5YHLS position. The benefits of the scheme would therefore clearly outweigh the very limited harms identified.

10. Recommendation

- 10.1** It is considered that the proposal as amended and subject to compliance with conditions would result in a high-quality development which would have an acceptable impact on neighbouring amenity, the character of the area and would comply with relevant policies in the plan. It is therefore recommended that the application be **PERMITTED** subject to the following conditions:

11. Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved documents:

- Site Location Plan Ref 1000037319
- Site Layout Plan 22 Rev A dated September 2023
- Proposed Floor Plans 23 Rev A dated September 2023
- Proposed Elevations 24 Rev dated September 2023
- Proposed Drainage Plan 25 dated November 2023
- Indicative Boundary Treatment Plan received by LPA on 3rd May 2024.

except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans

3 No work above floor plate level shall be carried out until samples of all external materials proposed to be used in the building, including facing and roofing materials, windows, doors, and architectural detailing have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that materials are in keeping with the surrounding area and to provide for high quality design.

4 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include results of infiltration testing, along with details of groundwater levels and soakaway design, in accordance with Building regulations Part H, to verify whether or not soakaways will be suitable for the development. Where soakaways are found to be suitable, details of the soakaways to be installed should be provided. If the infiltration test results or ground water levels demonstrate that soakaways are not appropriate, an alternative method of surface water drainage shall be detailed and justified instead. The scheme shall also include a programme of phasing, implementation and maintenance for the lifetime of the development and subsequently be implemented in accordance with these approved details and retained for the life of the development.

Reason: To ensure that an appropriate method of surface water drainage is installed and in the interests of flood risk management.

5 The dwelling hereby permitted shall not be occupied until a connection has been made to the public foul sewer. The drainage schemes shall be managed and maintained thereafter.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment.

6 The development hereby permitted shall not occupied until soft and hard landscape works have first been installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These details shall include details of all hard-surfacing materials, proposed planting, proposed boundary treatment to secure the residential curtilage and proposed finished levels or contours.

Reason: In the interests of visual amenity.

- 7 All planting, seeding, or turfing in the approved details of landscaping for the residential development shall be carried out in the first planting and seeding season following the occupation of the respective building or completion of the respective developments whichever is the sooner. If any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity.

- 8 Details of any new external lighting in connection with this development shall be first submitted to and approved in writing by the local planning authority prior to its installation in the form of a Lighting Strategy Scheme, detailing the location and specification of the lighting supported by contouring plans demonstrating any light spill into adjacent habitats. This plan should be completed in conjunction with advice from the project ecologist.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and wider area

- 9 During the construction phase (including preparatory groundworks), no machinery shall be operated, no process shall be carried out and no deliveries shall be taken at or dispatched from the site outside the following times: Monday-Friday 8.00 am-6.00pm, Saturday 8.00 am-1.00 pm nor at any time on Sundays, Bank or Public Holidays.

Reason: To protect the privacy of adjacent properties.

- 10 The development hereby approved shall not be occupied until visibility splays are provided from a point 0.6 metres above carriageway level at the centre of the access to the application site and 2.4 metres back from the near side edge of the adjoining carriageway, (measured perpendicularly), for a distance of 120 metres to the west and 83.4 metres to the east measured along the nearside edge of the adjoining carriageway. These splays shall thereafter be permanently kept free of all obstructions to visibility over 0.6 metres in height above carriageway level.

Reason: In the interests of highway safety.

- 11 Prior to the demolition of the existing buildings, the mitigation and reasonable avoidance methods for birds, newts, hedgehogs and bats shall be carried out and or installed in accordance with Section 5.1 of the Preliminary Ecological Assessment (PEA) prepared by Wilder Ecology.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area

- 12 Prior to the occupation of the dwelling hereby approved, the biodiversity enhancements outlined in Appendix 5 of the Preliminary Ecological Assessment (PEA) prepared by Wilder Ecology shall be installed. The enhancements shall be retained for the lifetime of the development.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area

- 13 The dwelling shall not be occupied until the bin collection point has been provided in accordance with details set out on Drawing no.25 and shall be retained for that purpose thereafter.

Reason: To ensure adequate refuse storage facilities are provided and avoid obstruction of the highway.

12. Informatives

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing the to the Council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 Demolition works should be undertaken between September to February, where possible, to avoid potential harm to nesting birds, and where this is not possible, the buildings would need to be surveyed for nesting birds by a suitably qualified ecologist prior to works commencing. A precautionary approach to vegetation removal should be undertaken as recommended, to avoid harm to reptiles and amphibians. In addition, gaps of 13cm x 13cm should be created in any proposed fencing to allow hedgehogs to pass through the site.

Job : **LAND OFF WAINLODES LANE
NORTON GLOS GL2 9RH**

Client : [REDACTED]

Drawing : **Site Layout Plan : Proposed Single Storey Dwelling**

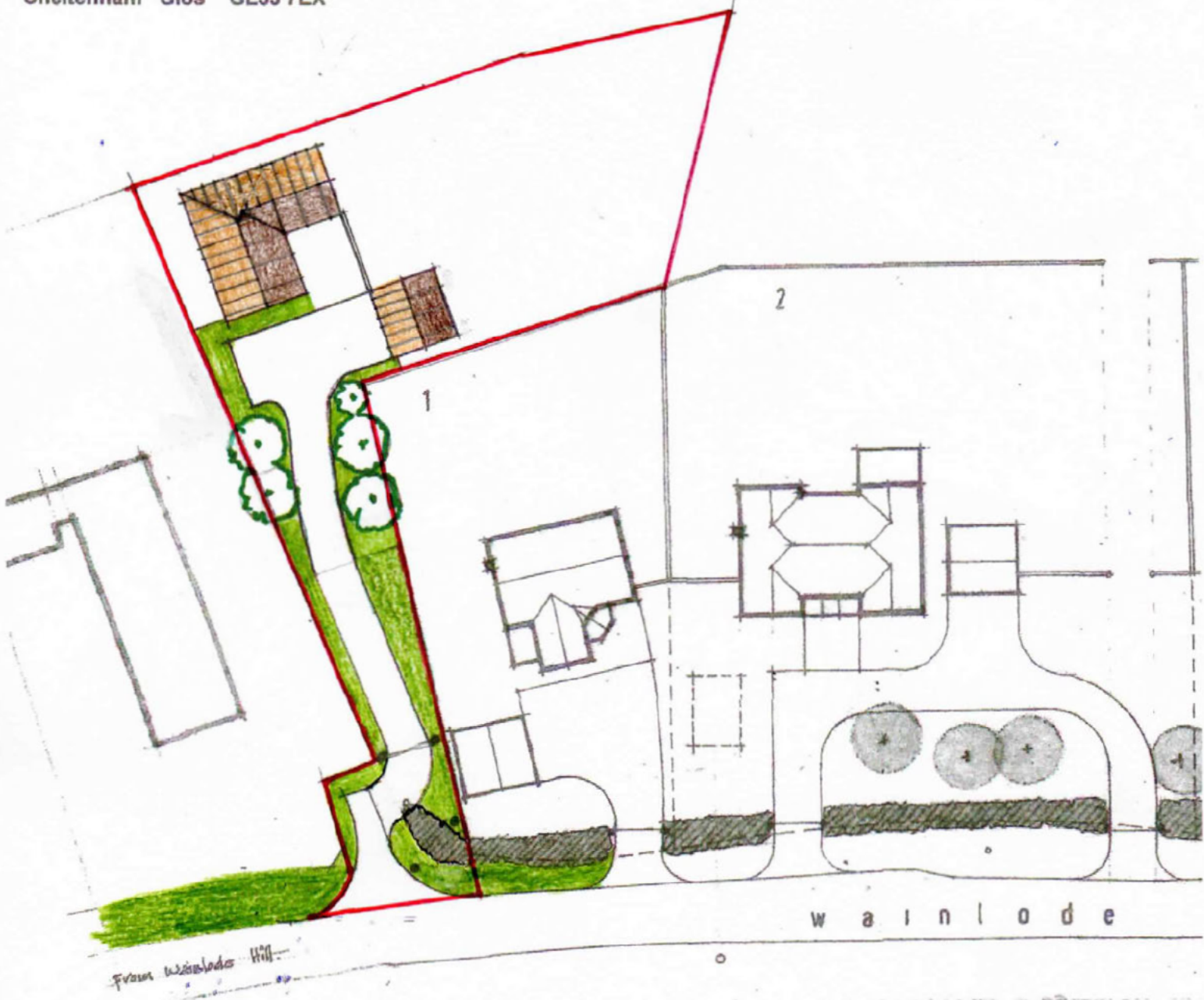
Scale : **1:500 @ A3**

Date : **July 2021**

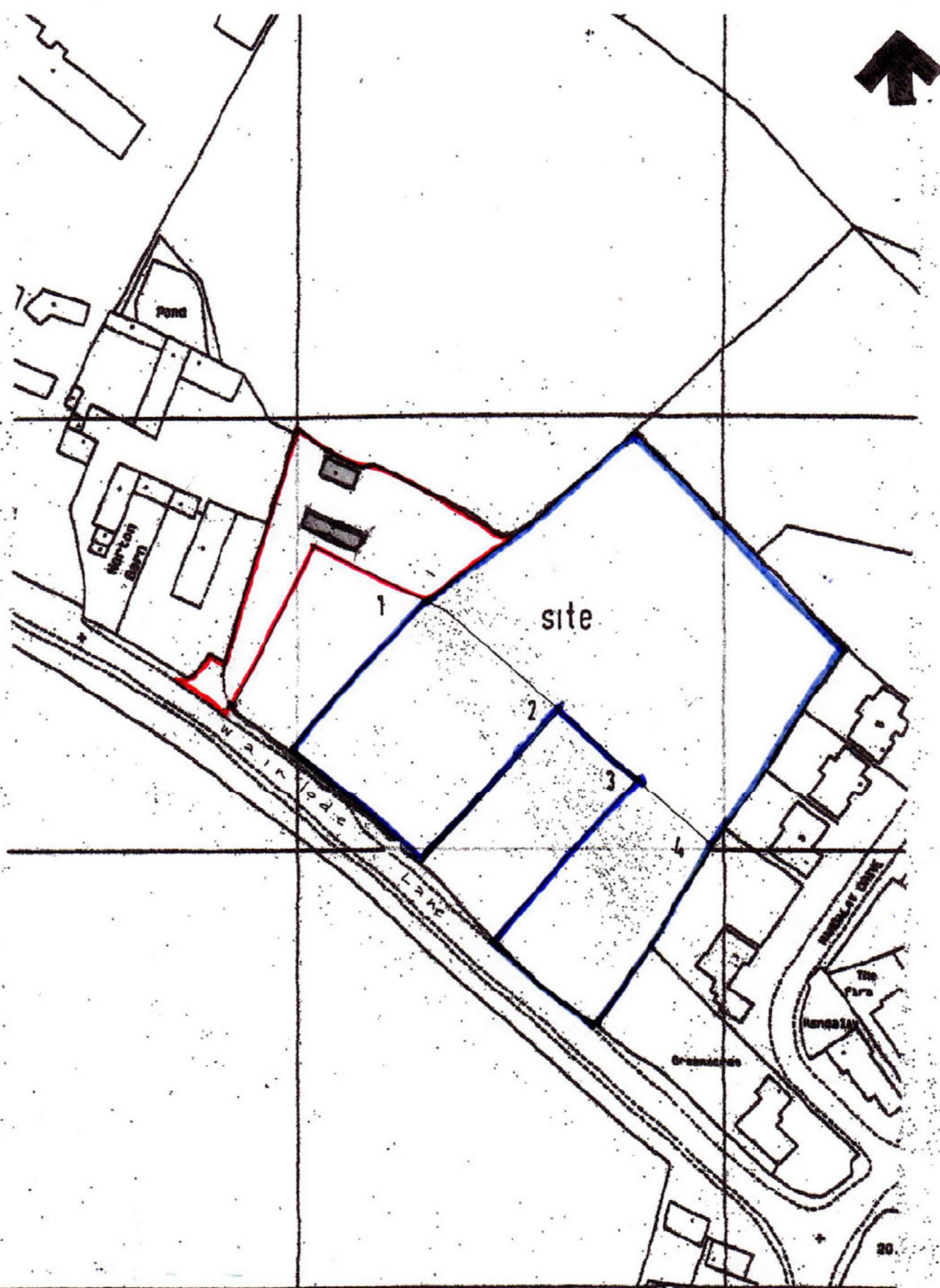
Job No : **1018**

Drawing No : **22** Rev A : Sept 23.

**Ian Johnstone Associates
Building Planning & Design
1 King Arthur Close Charlton Park
Cheltenham Glos GL53 7EX**



From Wainlode Hill



Ian Johnstone Associates
 Building Planning & Design

O.S. Ref No : 100037319

Land off Wainlodes Lane Norton Gloucester

1 King Arthur Close
 Charlton Park
 Cheltenham
 Glos GL53 7EX

Job : LAND OFF WAINLODES LANE
NORTON GLOS GL2 9RH

Client : [REDACTED]

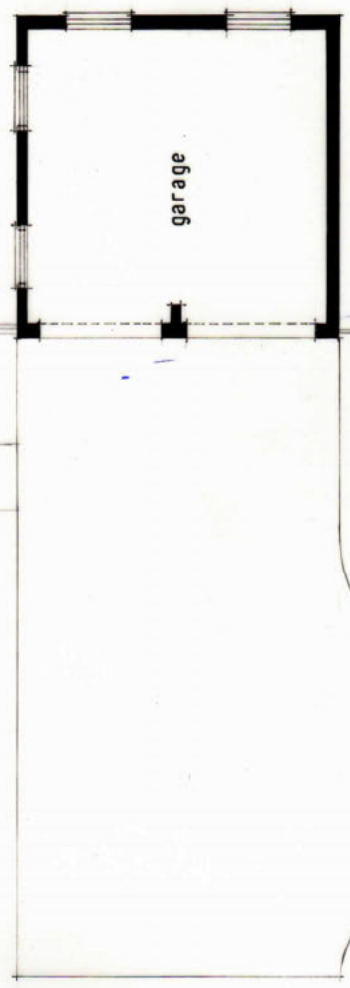
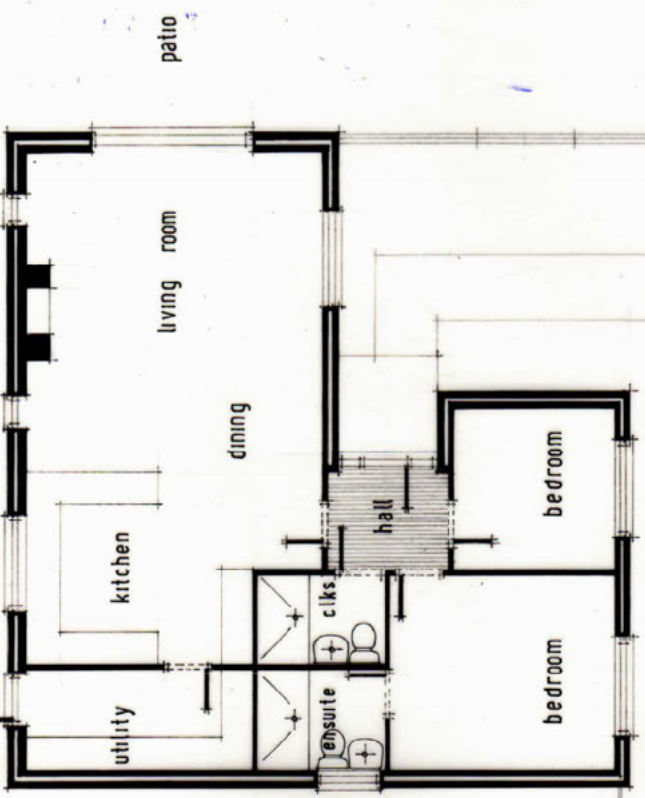
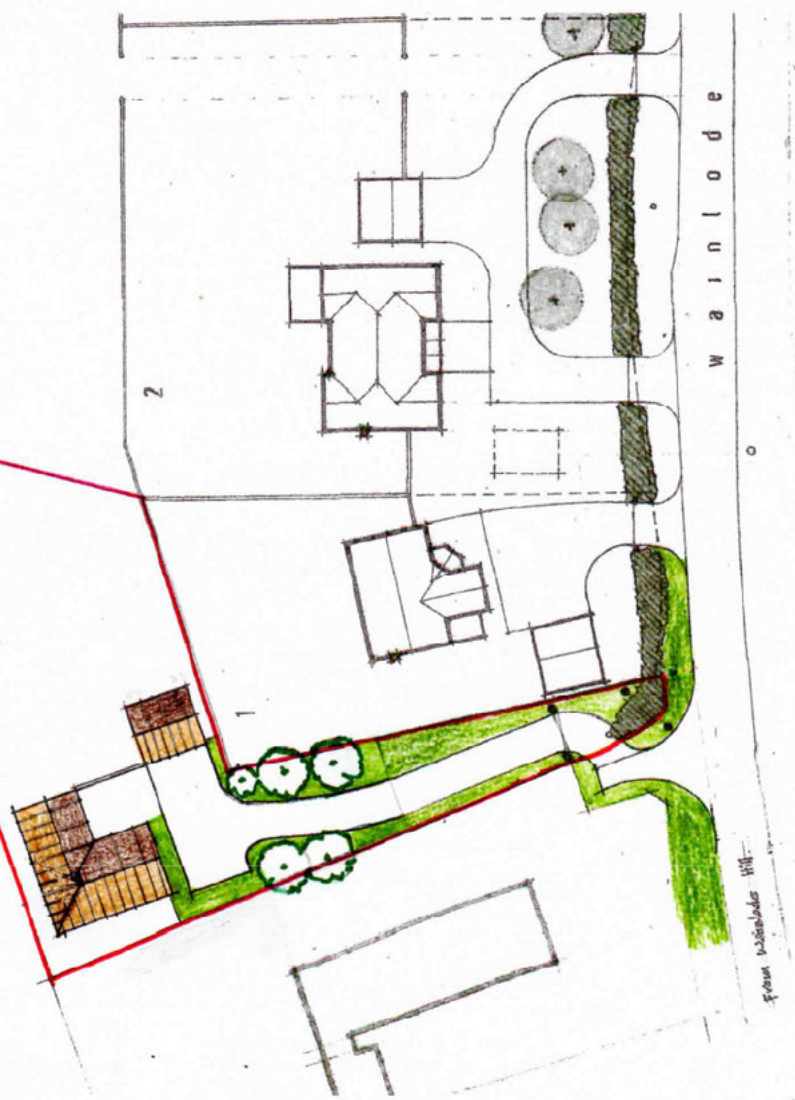
Drawing : Site Layout Plan : Proposed Single Storey Dwelling

Scale : 1:500 @ A3

Date : July 2021

Drawing No : 22 Rev A : Sept 23

Ian Johnstone Associates
Building Planning & Design
1 King Arthur Close Charlton Park
Cheltenham Glos GL53 7EX



Scale : 1:100 @ A4
Job No : 1018

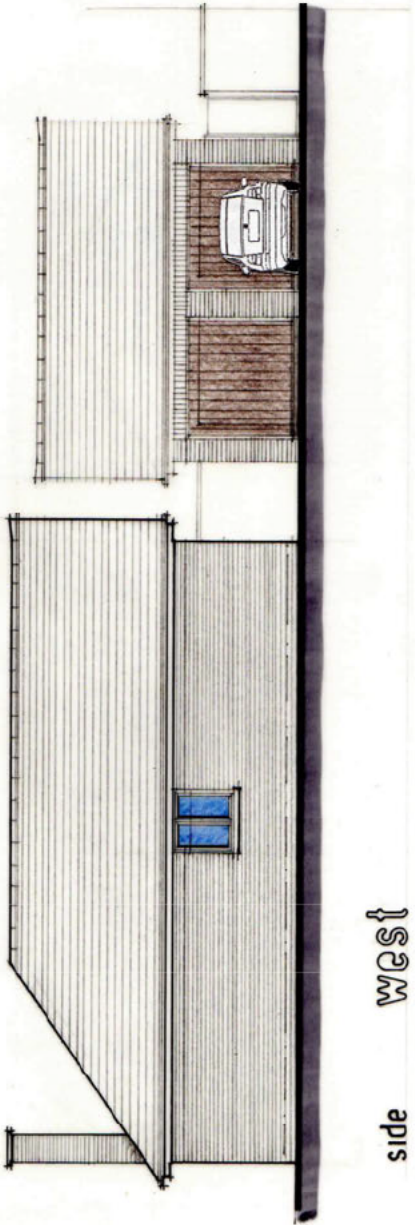
Ian Johnstone Associates
Building Planning & Design
1 King Arthur Close Charlton Park
Cheltenham Glos GL53 7EX

Date : May 2023
Drawing No : 23
Rev : A Sept 23

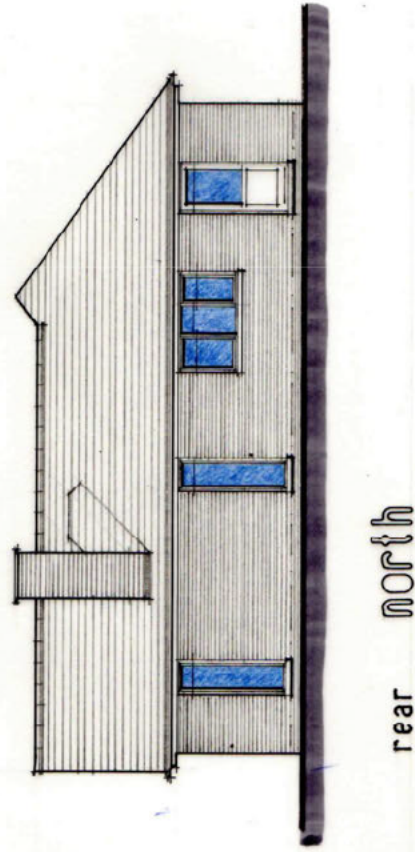
Job : LAND OFF WAINLODES LANE NORTON GLOS GL2 9RH

Client : [REDACTED]

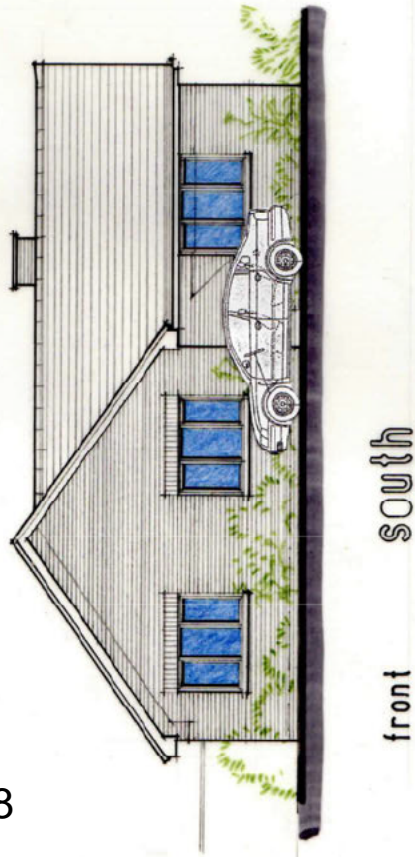
Drawing : Proposed Single Storey Dwelling
Ground Floor Plan : As Proposed



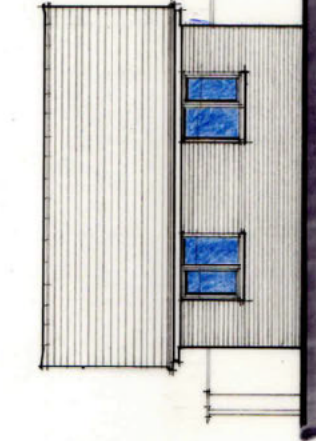
side west



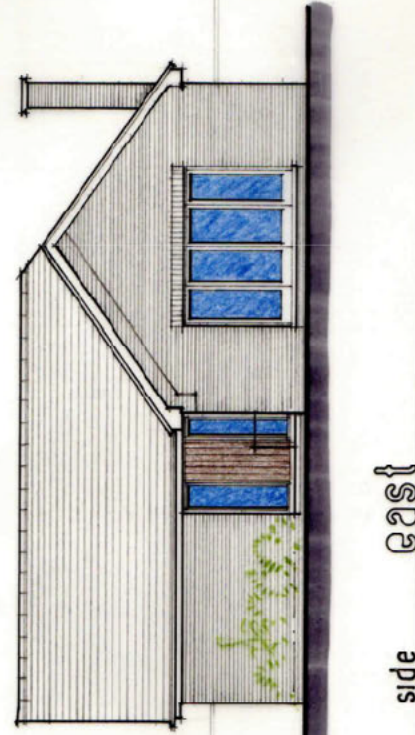
rear north



front south



side



east



LAND OFF WAINLODES LANE NORTON GLOS GL2 9RH

Manhole schedule

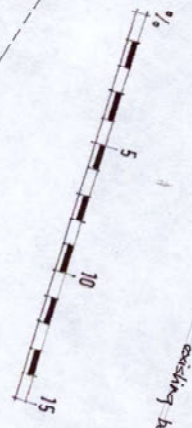
No	Cover level	Invert level	Depth	Distance
F1	19.32	17.75	1.57	Existing
F2	19.65	18.00	1.65	Existing
F23	19.85	19.40	0.45	46.00 to F2 @ 1:60
F24	19.85	19.27	0.58	6.00 to F23 @ 1:40
F25	19.85	19.13	0.72	5.00 to F24 @ 1:40

All levels are to be checked on site before work commences to confirm installation



2

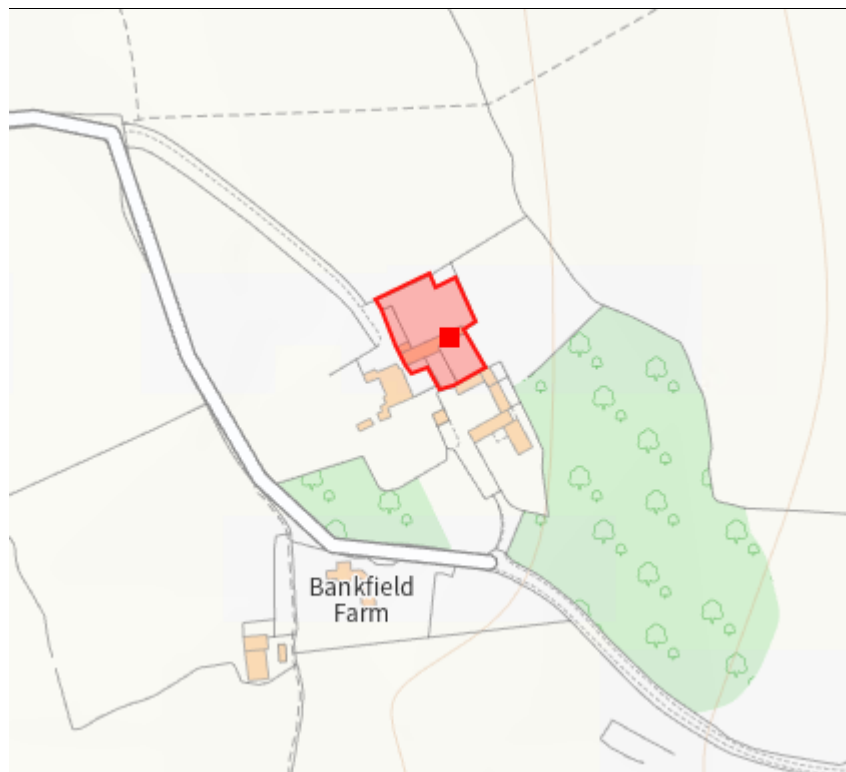
1



Planning Committee

Date	23rd May 2024
Case Officer	Chloe Buckingham
Application No.	23/00954/FUL
Site Location	Coach House Woodend Farm, Woodend Lane, Shuthonger, Tewkesbury
Proposal	Erection of a two-storey rear extension.
Ward	Tewkesbury North and Twyning
Parish	Twyning
Appendices	Site location Plan Existing Site Plan Proposed Site Plan Existing Floor Plans Proposed Floor Plans Existing Elevations Proposed Elevations
Reason for Referral to Committee	Councillor owns the building
Recommendation	Permit

Site Location



1. The Proposal

Full application details are available to view online at:

<https://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S2U4L4QDLDR00>

- 1.1 The erection of a two-storey rear extension.

2. Site Description

- 2.1 The Coach House is situated in part of a complex of buildings that has historically been known as Woodend Farm. The Coach House is situated between the A38 and the river Avon, being accessed via Woodend Lane a no through road to the east of the A38.

- 2.2 The main farmhouse, Woodend Farm is a Grade II Listed Building and is situated adjacent to the application property. Historically the application building would appear to have been associated with Woodend Farm and as such the Coach House is curtilage listed.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
20/01142/CLE	Use of the Coach House as a separate residential dwelling, garden and ancillary parking.	CLECER	17.03.2021

4. Consultation Responses

Full copies of all the consultation responses are available online at

<https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 **Twynning Parish Council** - Consulted but no response received at the time of writing.

Conservation Officer - No objection subject to conditions.

Building Control - The application will require Building Regulations approval.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at

<https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1 The application has been publicised through the posting of a site notice for a period of 21 days.

5.2 Third Party Comments: The application has been publicised through the posting of a site notice for a period of 21 days and one objection comment was received on the previous application. The main points being:

- The proposed plans not subservient to the main dwelling
- Loss of privacy
- Loss of light
- Loss of view
- Design not in keeping with the area.
- Access and turning space for both the builders and builder's merchant's deliveries throughout the build and post the build. Damage to property that this will cause.
- The boundary line on the submitted plans is incorrect.
- The proposed plans will mean increased doors and increased foot traffic past the front of the neighbouring house.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG).

Sections 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SP1 (The Need for New Development)
Policy SP2 (The Distribution of New Development)
Policy SD4 (Design Requirements)
Policy SD6 (Landscape)
Policy SD8 (Historic Environment)
Policy SD9 (Biodiversity and Geodiversity)
Policy SD10 (Residential Amenity)
Policy SD14 (Health and Environmental Quality)
Policy INF1 (Transport Network)
Policy INF2 (Flood Risk Management)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy RES10 (Alteration and Extension of Existing Dwellings)
Policy HER2 (Listed Buildings)
Policy NAT1 (Biodiversity, Geodiversity and Important Natural Features)
Policy ENV2 (Flood Risk and Water Management)
Policy TRAC9 (Parking Provision)

Neighbourhood Plan

Twynning Neighbourhood Development Plan 2011- 2031

Policy GD3 (Development Principles)
Policy GD6 (Effect on Neighbouring Properties)
Policy H4 (Residential Extensions)

7. Policy Context

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.

7.3 The relevant policies are set out in the appropriate sections of this report.

7.4 Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

8.1 Design and Visual Amenity Including Heritage Impacts

8.2 Woodend Farm is a Grade II Listed building, and The Coach House is considered to be curtilage listed. As such when determining planning applications this authority has a duty under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings and their features of special architectural or historic interest.

8.3 Paragraph 199 of the NPPF states that: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 8.4** Paragraph 200 of the NPPF states that: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 8.5** JCS Policy SD4 provides that new development should respond positively to, and respect the character of, the site and its surroundings, enhancing local distinctiveness, and addressing the urban structure and grain of the locality in terms of street pattern, layout, mass and form. It should be of a scale, type, density and materials appropriate to the site and its setting.
- 8.6** Criterion 6 of Policy SD10 'Residential Development' of the JCS states the residential development should seek to achieve maximum density compatible with good design, the protection of heritage assets, local amenity, the character and quality of the local environment, and the safety and convenience of the local and strategic road network.
- 8.7** Policy SD8 states that: Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment. The policy also states that: Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place.
- 8.8** Policy HER2 of the emerging Local Plan states that: Alterations, extensions or changes of use to Listed Buildings, or development within their setting, will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.
- 8.9** Policy RES10 of the TBLP states that proposals for the extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that (amongst other criteria):
1. The detailed design reflects or complements the design and materials of the existing dwelling
 2. The scale of the proposal is appropriate to the character and appearance of the existing dwelling and its surrounding area
 5. The proposal respects the character and appearance of surrounding development
- 8.10** Twynning Neighbourhood Development Plan Policies GD3 and H4 provides that development must respect the character, scale and proportion of the existing dwelling and the surrounding development.
- 8.11** The Coach House is an ancillary building to Woodend Farmhouse. The farmhouse is set within a former farmstead including a range of historic brick barns and shelter sheds which are also separately Grade II Listed. The Farmhouse is a formal 19th Century red brick house with a symmetrical façade overlooking the river valley via a narrow aspect confined between outbuildings, including the Coach House and shelter shed. The Coach House is a narrow two storey red brick building with brick dental cornice and hipped clay tiled roof. There are tallet steps up to the first floor and an attached shelter shed to the East and a single storey element on the North Elevation. The building has previously been converted to residential use.

- 8.12** The revised plans show a change to a narrower pitched roof design which has been set in from the side elevation by 1.8m (1m more than the original), and reduced in width by around 1m to be 5.6m wide, and also the rear projection has increased by 2m to 10m. It is also noted that the scheme now proposes brick to match instead of the timber cladding. Officers agree that the amended plans are acceptable except for the design of the new front door which is unnecessarily contemporary in its design and would appear incongruous on this listed building.
- 8.13** Therefore, conditions shall be attached to ensure that all new windows and doors should be recessed by a minimum of 75mm. Prior to installation details of new windows and external doors, as well as details of sills and heads of new window and door openings shall also be agreed. Prior to installation, details of the new roof tiles, rainwater goods and weatherboarding also be agreed. Furthermore, prior to construction above DPC level a sample panel of new external brickwork to be constructed on site (1m x 1m) showing the bond and pointing to match the existing building. The sample is to be agreed, after which should remain on site for comparison until the construction is completed.
- 8.14** Subject to these conditions the scheme is compliant with policies SD4 and SD14 of the JCS, policy RES10 of the TBLP and policies GD3 and H4 of the NDP.
- 8.15** The proposal would have a neutral impact on the significance of the Curtilage Listed Building and to the setting of the Grade II Listed Farmhouse. As such the proposal is compliant with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, Policy SD8 of the JCS and Policy HER2 of the Local Plan.

Residential amenity

- 8.16** JCS policies SD4 and SD14 require development to enhance comfort, convenience and enjoyment through assessment of the opportunities for light, privacy and external space. Development should have no detrimental impact on the amenity of existing or new residents or occupants.
- 8.17** Policy RES10 of the TBLP states that proposals for the extension and alteration of existing dwellings, and the erection of domestic outbuildings and annexes, will be permitted providing that (amongst other criteria):
4. The proposal does not have an unacceptable impact on the amenity of neighbouring properties.
- 8.18** Policy GD6 of the Twynning Neighbourhood Development Plan provides that extensions to existing dwellings should not have an unacceptable impact on adjacent property and residential amenity.
- 8.19** Objection comments have been received to explain that the proposal would result in a loss of privacy and a loss of light for the neighbouring property.
- 8.20** Revised plans have been received showing removal of the windows serving the master bedroom on the West side elevation as they are unnecessary. The windows in the rear and East elevation offer sufficient light for this room. Whilst these windows are shown as being obscurely glazed on the plans, their removal shall lessen any perceived impact in terms of over-looking and loss of privacy for the neighbour.

- 8.21** It is agreed that there shall be some perceived loss of privacy impacts for the neighbour as a result of the extension, however, considering that the extension has been stepped in to the side by approx. 1m and also considering that the first-floor windows shall be obscurely glazed, the residential amenity impacts are not considered to be significant. Furthermore, whilst the large, proposed projection shall have some loss of light impacts for the neighbouring property, due to the spacing between the extension and the neighbouring property (approx. 6m), the loss of light impact is considered unlikely to be significant. Furthermore, it must also be noted that the windows on the west over-look a shared drive and there are no direct views into the neighbouring property from this elevation.
- 8.22** The objection comments also explain that there will be a loss of view. However, the loss of a view is not a material planning consideration and as such this does not have any bearing on the planning assessment.
- 8.23** The scheme is compliant with policies SD4 and SD14 of the JCS, policy RES10 of the TBLP and policy GD6 of the NDP.

Highway Matters

- 8.24** Policy INF1 of the JCS sets out that permission shall only be granted where the impact of development is not considered to be severe. It further states that safe and efficient access to the highway network should be provided for all transport means.
- 8.25** Policy TRAC9 of the TBLP states that proposals for new development that generate a demand for car parking space should be accompanied by appropriate evidence which demonstrates that the level of parking provided will be sufficient. The appropriate level of parking required should be considered on the basis of the following:
- 1) the accessibility of the development;
 - 2) the type, mix and use of development;
 - 3) the availability of and opportunities for public transport;
 - 4) local car ownership levels;
 - 5) an overall need to reduce the use of high emission vehicles; and
 - 6) a comparison of the forecast trip generation and resultant accumulation with the proposed parking provision.
- 8.26** The number of bedrooms at the property shall increase from 2 to 5 and there is considered to be sufficient off-street parking space to the rear of the property in compliance with policy INF1 of the JCS and policy TRAC9 of the TBLP.

Other issues

- 8.27** It must be noted that the red line plan does not appear to match the legal boundary between the Coach House and Farmhouse (currently indicated by a line of laurel bushes). The applicants were made aware of this, but no revised plans were received.
- 8.28** Objection comments have explained that there is concern that the access and turning space for both the builders and builder's merchant's deliveries throughout the build and post the build will cause damage to property. However, any damage to neighbouring property is a civil matter and would be dealt with outside of the planning process.

9. Conclusion

- 9.1 It is considered that the proposed development is acceptable in principle and compliant with all other policies subject to the conditions as set out above.

10. Recommendation

- 10.1 The proposal accords with relevant policies as outlined above; it is therefore recommended the application be **permitted** subject to the following conditions:

11. Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following plan references:

- 4528 P(0)103 REV A received 20th October 2023.
- 4528 P(0)101 B, 4528 P(0)102 C, 4528 P(0)100 B and 4528 P(0)301 B received 8th April 2024.
- 4528 P(0)302 C and 4528 P(0)303 B received 8th May 2024.

except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

- 3 Prior to installation, details (including scaled cross sections) of new windows and external doors and details of sills and heads of new window and door openings shall be submitted to and agreed in writing by the Council.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

- 4 All new windows and doors shall be recessed by a minimum of 75mm.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

- 5 Prior to installation, details of the new roof tiles, rainwater goods and weatherboarding shall be submitted to and agreed in writing by the Council.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

- 6 Prior to construction above DPC level a sample panel of new external brickwork shall be constructed on site (1m x 1m) showing the bond and pointing to match the existing building. The sample is to be agreed in writing by the Council, after which it shall remain on site for comparison until the construction is completed.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

- 7 The windows serving the first floor on the west elevation of the extension hereby permitted shall be constructed so that no part of the framework less than 1.7m above finished floor level shall be openable. Any part of the window below that level shall be fitted with, and retained in, obscure glazing (Pilkington Level 4 or equivalent).

Reason: To protect the privacy of the adjacent property.

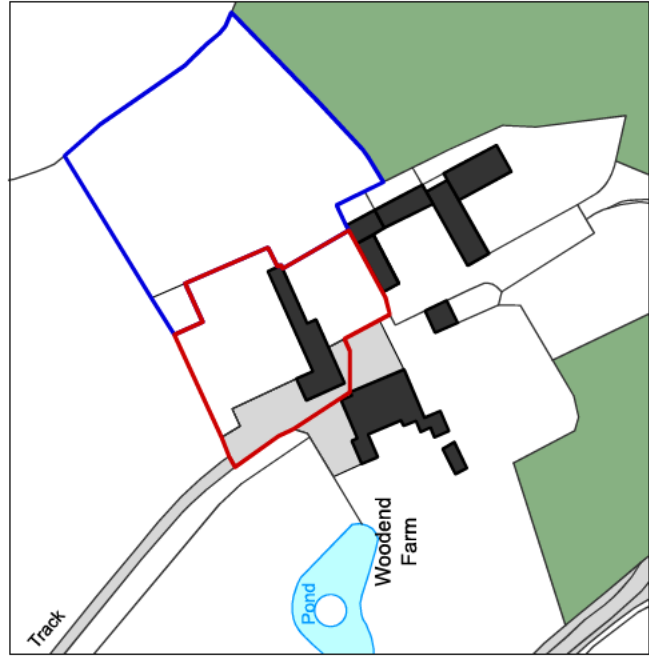
12. Informatives

- 1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.
- 2 The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.



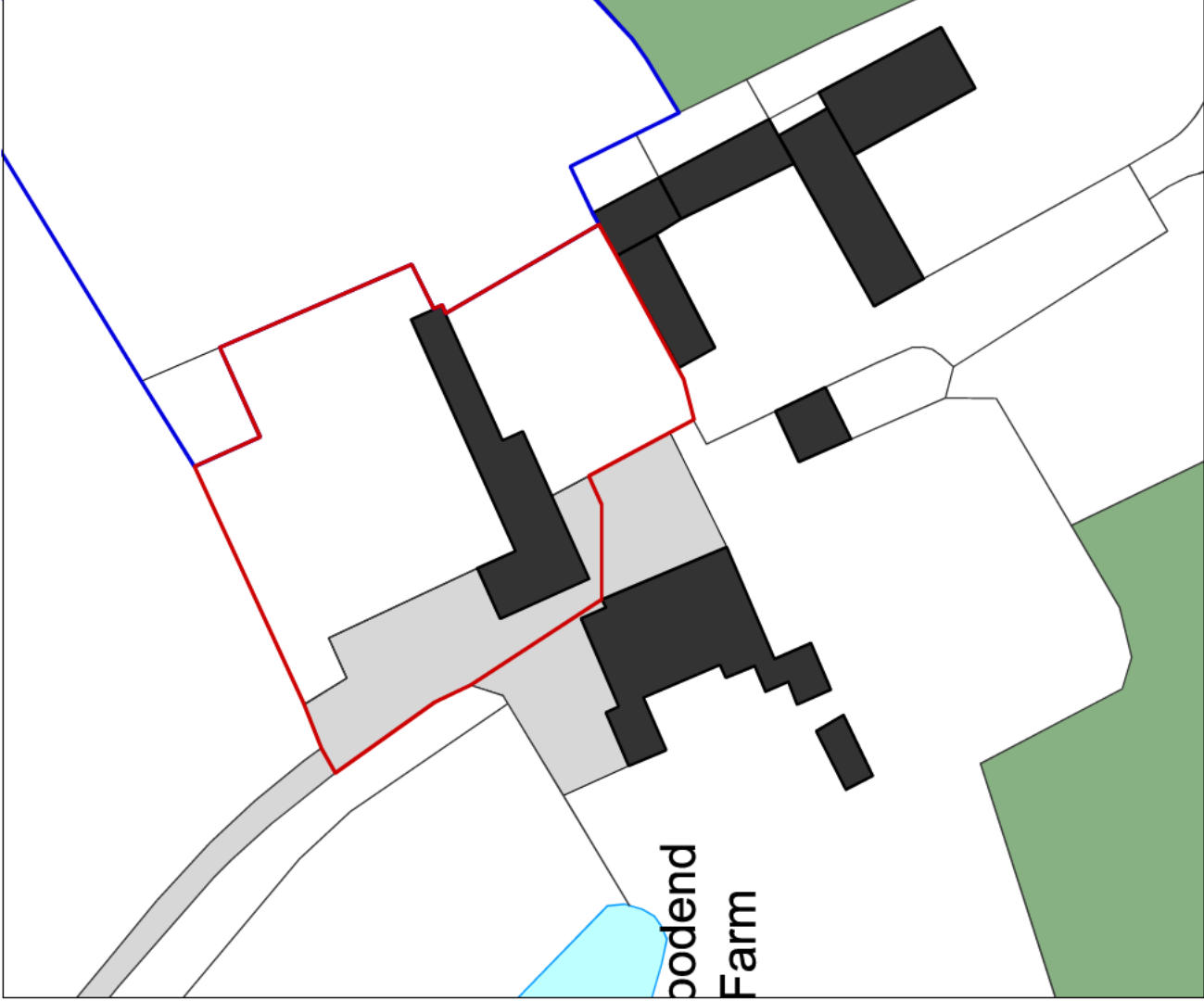
01 Existing Aerial View

Not To Scale



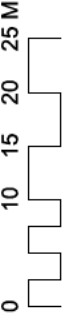
02 Site Location Plan

Scale: 1:1250



03 Site Block Plan

Scale: 1:500



- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all other drawings and specifications issued by the architect and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- 5 RRA 000181/ASAC



- SITE BOUNDARY
- LAND ALSO OWNED BY CLIENT

Revision Description	Date	Check	Rev
Site Boundary Amended	06/03/24	RJB	B
Site Boundary Amended	29/01/24	RJB	A



RRA Architects Ltd
16 Royal Crescent
Bristol, Avon
GL2 5DA

T 01242 289 374
E enquiries@rarchitects.com
www.rraarchitects.com

London T 0203 330 0088
Ludlow T 01584 518 787

Headed T 01452 276 757
Cheltenham T 01242 28274

Client: [Redacted]

Project: [Redacted]

The Coach House, Woodend Farm,
Shuthonger, GL20 6EE

Drawing Title: Site Location & Block Plan

Status	Date	Drawn By	Scale
Planning	MAY 2023	RJB	As Shown
Revision			
4528P(0)100			B

- 1 Any discrepancies to be referred to the Architect.
- 2 The Architect is not responsible for any errors or omissions in the drawings or specifications and other drawings issued by the Architect, and other specialists.
- 3 This drawing is copyright and is not to be reproduced without the Architect's permission.
- 4 IF IN DOUBT, ASK.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR CO-ORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEERS
SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED
THROUGH SURVEYING THE PROPERTY.
CONTRACTOR IS REQUIRED TO INSPECT THE
DRAINAGE SYSTEM TO CHECK PROPOSED RUNS
WORK PRIOR TO COMMENCEMENT



Revision Description	Date	Check	Rev
Site Boundary Amended	06/03/2024	RJB	B
Site Boundary Amended	29/07/2024	RJB	A



RRA Architects Ltd
15 Wood Lane
London, W1B 4AA
020 7463 3333

T 01242 269 374
E enquiries@rraarchitects.com
www.rraarchitects.com

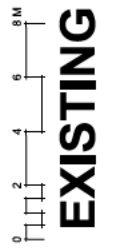
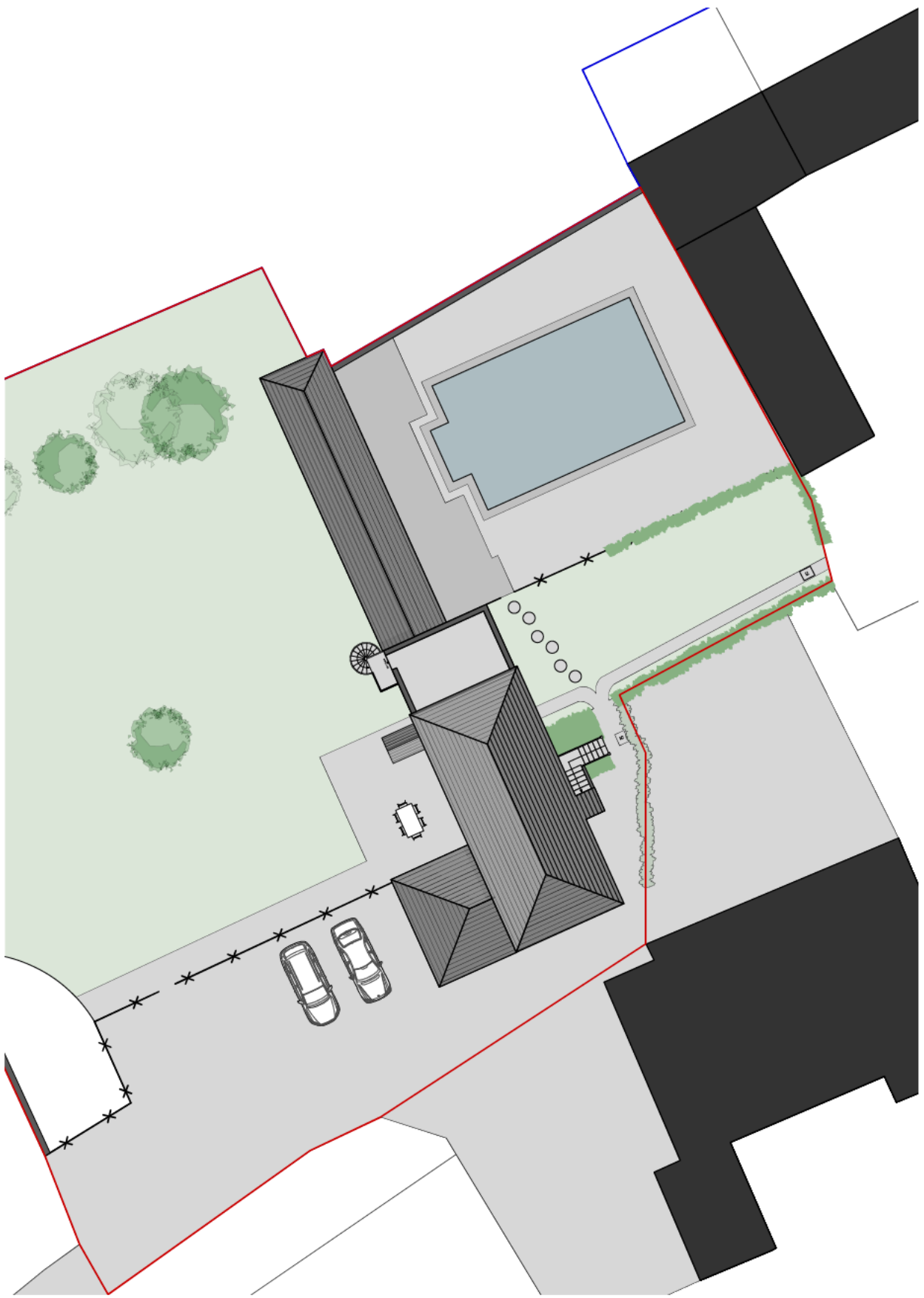
Headford
T 01432 279 107
London
T 0203 130 0296
Leather
T 01924 519 747
T 01242 269374

Client: [Redacted]

Project:
The Coach House, Woodend Farm,
Shuthonger, GL20 6EE

Revision	Date	Drawn By
4528 P(0)101 B	MAY 2023	RHB

Drawing Title: Existing Site Plan
Scale: 1:100 @ A1



- 1 Any discrepancies to be referred to the Architect.
- 2 The Architect is not responsible for construction details or specifications and other drawings issued by the Architect, and other specialists.
- 3 This drawing is copyright and is not to be reproduced without the Architect's permission.
- 4 IF IN DOUBT, ASK.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR CO-ORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEERS
SPECIFICATION
PLEASE NOTE NO MANHOLES WERE LIFTED
THROUGH SURVEYING THE PROPERTY.
CONTRACTOR IS REQUIRED TO INSPECT THE
DRAINAGE SYSTEM TO CHECK PROPOSED RUNS
WORK PRIOR TO COMMENCEMENT



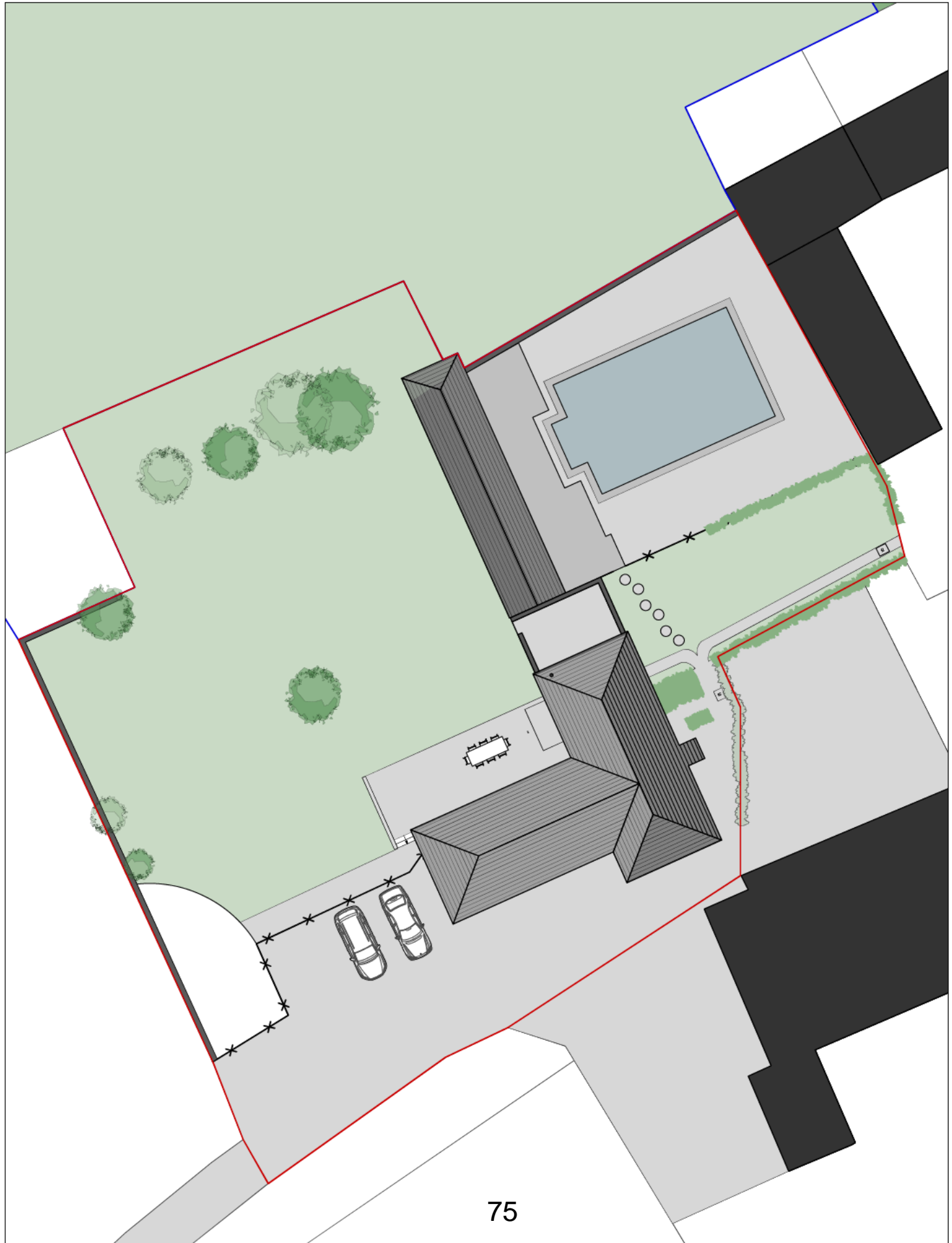
Revision Description	Date	Check	Rev
Site Boundary Amended	06/03/2024	RJB	B
Design Amended	22/07/2024	RJB	A



RRA Architects Ltd
11 Wood Lane
Golf Barn
Golf Barn
T 01242 269 374
E enquiries@rrarchitects.com
www.rrarchitects.com
London
T 0203 130 0286
Leather
T 01242 269 374

Client : [Redacted]
Project : [Redacted]
The Coach House, Woodend Farm,
Shuthonger, GL20 6EE
Drawing Title : Proposed Site Plan

Status	Date	Drawn By
Planning	SEP 2023	RHB/RJB
Drawing No.	Revision	Scale
4528 P(0)301 B		1:100 @ A1



PROPOSED

1 SITE PLAN
Scale: 1:100 @ A1

- 1 Any discrepancies to be referred to the Architect.
- 2 All drawings are to be prepared in accordance with the relevant specifications and other drawings issued by the Architect, and other specialists.
- 3 This drawing is copyright and is not to be reproduced without the prior written permission of RRA Architects.
- 4 IF IN DOUBT, ASK.



PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY SHOWN FOR CO-ORDINATION PURPOSES PLEASE REFER TO STRUCTURAL ENGINEERS SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED THROUGH SURVEYING THE PROPERTY. CONTRACTOR IS REQUIRED TO INSPECT THE DRAINAGE SYSTEM TO CHECK PROPOSED RUNS WORK PRIOR TO COMMENCEMENT

Revision	Description	Date	Check	Rev
Site Boundary Amended		06/03/2024	RJB	C
Site Boundary Amended		28/01/2024	RJB	B
Errors Rectified		27/09/2023	RJB	A



RRA Architects Ltd
 11 Wood Lane
 GLOUCESTER
 GL1 2JH

T 01242 269 374
 E enquiries@rraarchitects.com

www.rraarchitects.com

London T 020 330 0298
 Leifer T 01884 519 747
 Headed T 01432 271 707
 Gloucestershire T 01242 269374

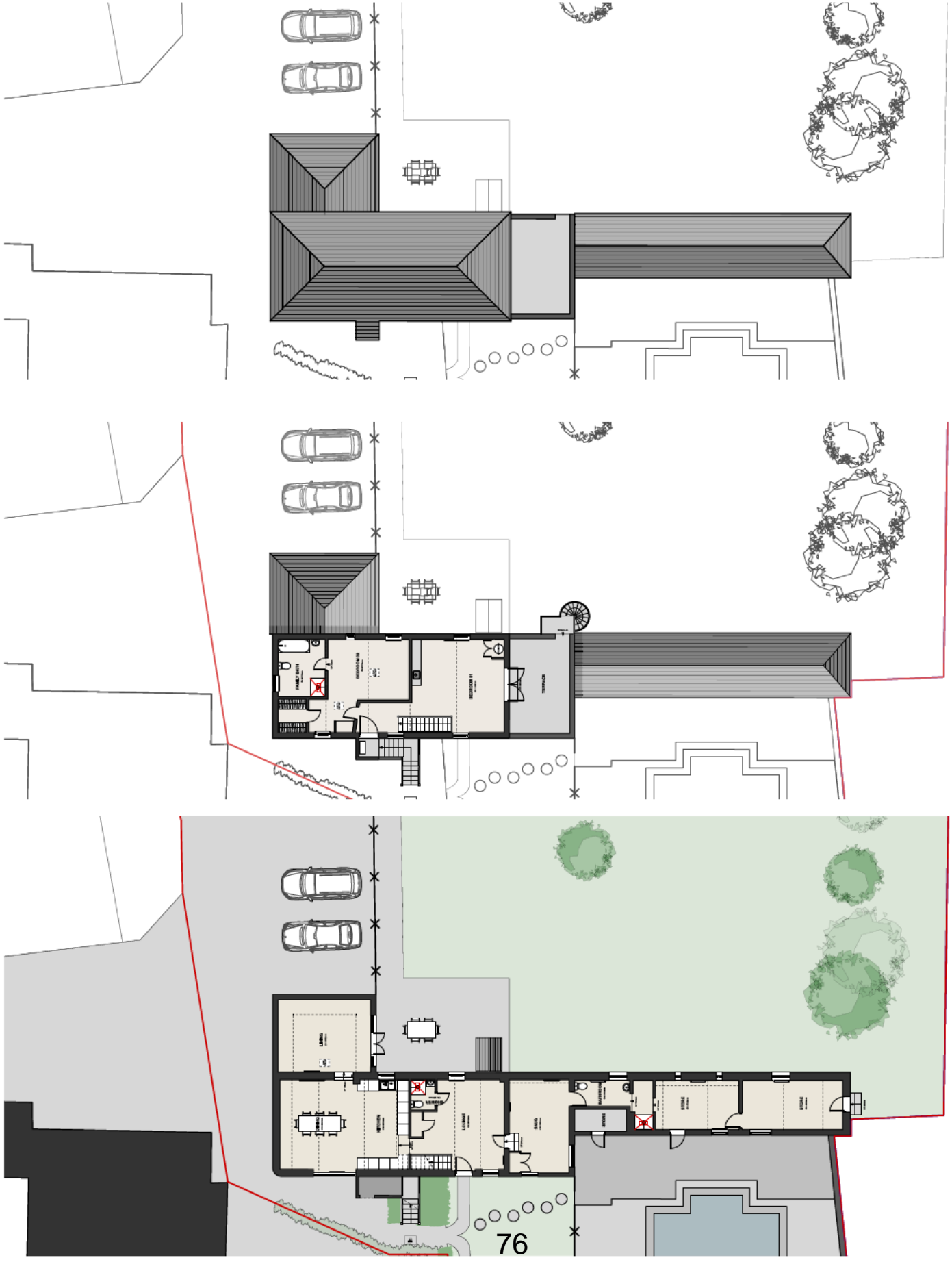
Client: [REDACTED]

Project: [REDACTED]

The Coach House, Woodend Farm,
 Shuthonger, GL20 6EE

Existing Plans

Status	Date	Drawn By
Planning	MAY 2023	RHB
Drawing No.	Revision	Scale
4528	P(0)102 C	1:100 @ A1



1 GROUND FLOOR PLAN
 Scale: 1:100 @ A1

2 FIRST FLOOR PLAN
 Scale: 1:100 @ A1

3 ROOF PLAN
 Scale: 1:100 @ A1

EXISTING

- 1 Any discrepancies to be referred to the Architect.
- 2 All drawings are to be checked for accuracy against the relevant specifications and other drawings issued by the Architect, and other specialists.
- 3 All drawings are to be checked for accuracy and to be reproduced without RFA permission.
- 4 **FIN IN DOUBT, ASK.**



PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR COORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEER'S SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED THROUGH SURVEYING THE PROPERTY. CONTRACTOR IS REQUIRED TO INSPECT THE PROPERTY FOR ANY MANHOLES PRIOR TO COMMENCEMENT WORK.

West Elevation Revised	06/05/2024	RJB	C
Site Boundary Amend	06/03/2024	RJB	B
Design Revised	22/01/2024	RJB	A
Revision Description	Date	Check	Rev



RFA Architects Ltd
 100, High Street, Chalfont St Giles, Bucks HP8 4NR
 T 01294 286 374
 E enquiries@raarchitects.com
 www.raarchitects.com

London T 0203 381 0388
 York T 01534 519 747
 Ipswich T 01473 278 707

Client: [Redacted]
 Project: [Redacted]
 The Coach House, Woodend Farm, Shuthonger, GL20 6EE
 Drawing Title: [Redacted]

Proposed Plans

Plan	Date	Drawn By
Planning	SEP 2023	RJB/RLB
Survey No.		4528 P(0)302 C
Revision		Scale: 1:100 @ A1



1 GROUND FLOOR PLAN
Scale: 1:100 @ A1

2 FIRST FLOOR PLAN
Scale: 1:100 @ A1

3 ROOF PLAN
Scale: 1:100 @ A1

0 2 4 6 8 M
PROPOSED

- 1 Any discrepancies to be referred to the Architect.
- 2 The Architect is not responsible for the accuracy of any information or data provided by the Client, or for any errors or omissions in the drawings or specifications issued by the Architect, and other specialists.
- 3 All drawings and specifications are to be produced without RPA permission.
- 4 IN DOUBT, ASK.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR COORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEER'S
SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED
THROUGH SURVEYING THE PROPERTY.
CONTRACTORS REQUIRED TO INSPECT THE
DRAINAGE SYSTEM TO CHECK PROPOSED RUNS
WORK PRIOR TO COMMENCEMENT

Errors notified, extra sheets added	27/06/2023	RJB	A
--	------------	-----	---

Revision Description	Date	Check	Rev
----------------------	------	-------	-----



RRA Architects Ltd

10000
10000
10000

T 01432 278 707
E enquiries@rraarchitects.com
www.rraarchitects.com

London
T 0203 3810388
T 01432 278 707

Leamington Spa
T 01927 519747
T 01927 288274

Client:

Project:

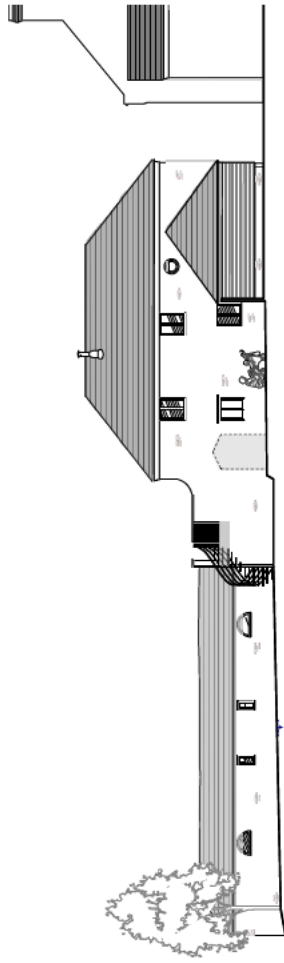
Existing Elevations

The Coach House, Woodland Farm,
Shuthonger, GL20 6EE

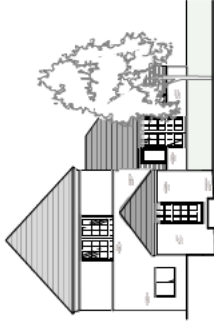
Drawing Title:

Existing Elevations

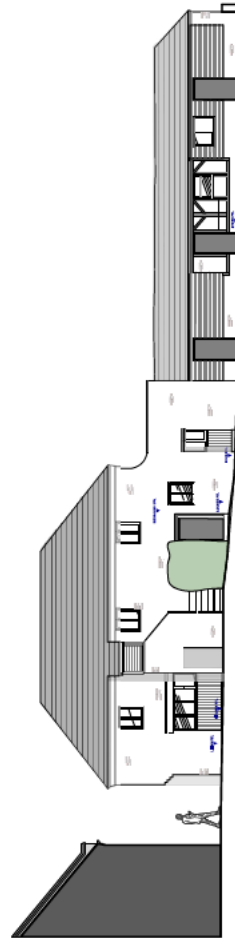
Scale	Date	Drawn By	Drawn At
Planning	MAY 2023	RJB	
University No.	Revision	Scale	Scale
4528 P(0)103 A		1:100 @ A1	



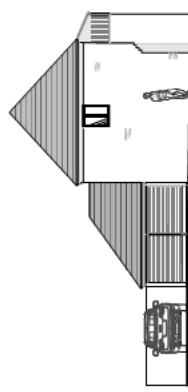
1 NORTH ELEVATION
Scale: 1:100 @ A1



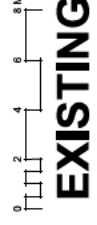
2 EAST ELEVATION
Scale: 1:100 @ A1

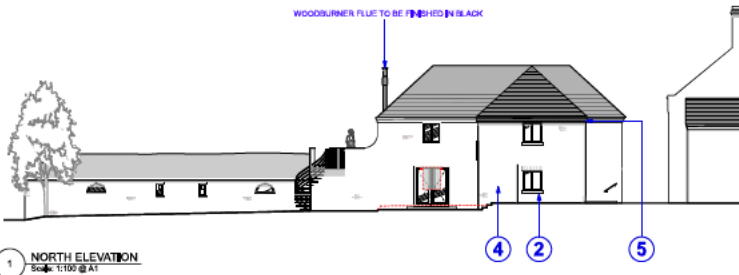


3 SOUTH ELEVATION
Scale: 1:100 @ A1



4 WEST ELEVATION
Scale: 1:100 @ A1





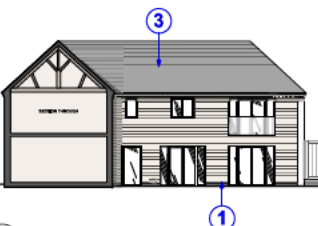
1 NORTH ELEVATION
Scale: 1:100 @ A1



2 WEST ELEVATION
Scale: 1:100 @ A1



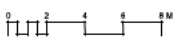
3 SOUTH ELEVATION
Scale: 1:100 @ A1



4 EAST SECTIONAL ELEVATION
Scale: 1:100 @ A1



5 EAST ELEVATION
Scale: 1:100 @ A1



- 1 Any discrepancies to be referred to the Architect. The drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect and other specialists.
- 2 This drawing is copyright and is not to be reproduced without RRA permission.
- 3 RRA 1001871_A04.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY SHOWN FOR CO-ORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEER'S SPECIFICATION
PLEASE NOTE: NO MANHOLES WERE LIFTED THROUGH BUILDING THE PROPERTY. CONTRACTOR IS REQUIRED TO INSPECT THE DRAINAGE SYSTEM TO CHECK PROPOSED RUNS WORK PRIOR TO COMMENCEMENT

- 1 HORIZONTAL TIMBER CLADDING
- 2 BLACK POWDER COATED ALUMINUM FENESTRATION
- 3 ROOF TILES TO MATCH EXISTING
- 4 BRICK TO MATCH EXISTING
- 5 BRICK LEAVES DETAIL TO MATCH EXISTING

West Elevation Revised	06/05/2024	FJB	B
Design Revised	22/01/2024	FJB	A
Revision Description	Date	Check	Rev.



RRA Architects Ltd
Registered Architectural Practice
T 01242 269 274
E enquiries@rrarchitects.com
www.rrarchitects.com
London T 020 335 0386 Haverhill T 01432 278 707
Leeds T 01524 610 747 Gillingham T 01434 288 274

Project

The Coach House, Woodend Farm, Shroton, Gloucestershire, GL20 6EE

Drawing Title: Proposed Elevations

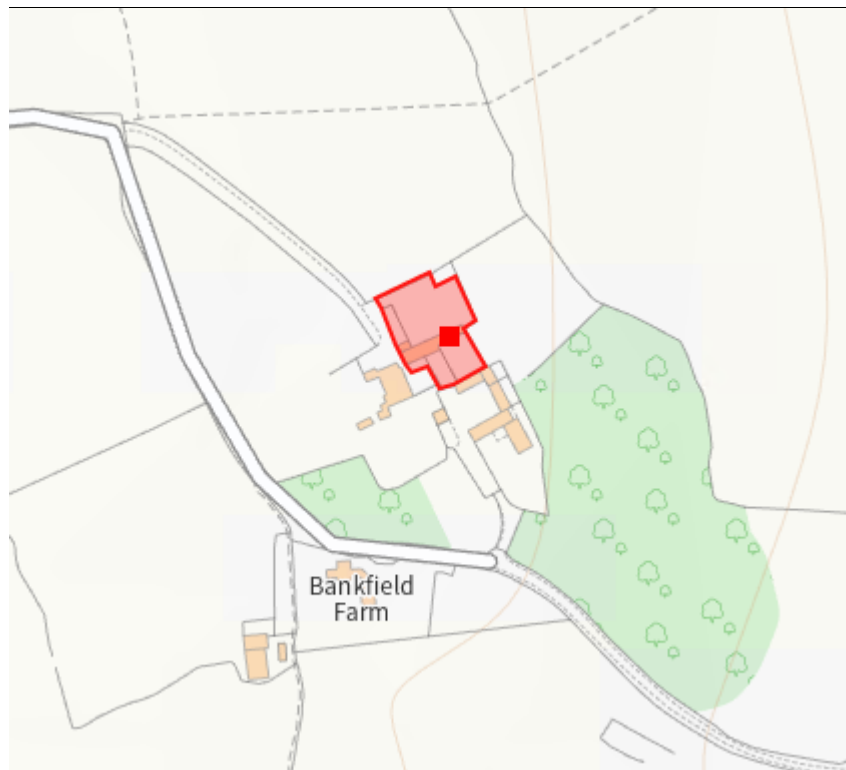
Status: Working	Date: SEP 2023	Drawn By: FJB/FJB
Drawing No: 452B P(0)303	Revision: B	Scale: 1:100 @ A1

PROPOSED

Planning Committee

Date	23rd May 2024
Case Officer	Chloe Buckingham
Application No.	23/00955/LBC
Site Location	Coach House Woodend Farm, Woodend Lane, Shuthonger, Tewkesbury
Proposal	Erection of a two-storey rear extension.
Ward	Tewkesbury North and Twyning.
Parish	Twyning.
Appendices	Site location Plan Existing Site Plan Proposed Site Plan Existing Floor Plans Proposed Floor Plans Existing Elevations Proposed Elevations
Reason for Referral to Committee	Councillor owns the building
Recommendation	Consent

Site Location



1. The Proposal

Full application details are available to view online at:

<https://publicaccess.tewkesbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=S2U4L7QDLDS00>

- 1.1 The erection of a two-storey rear extension.

2. Site Description

- 2.1 The Coach House is situated in part of a complex of buildings that has historically been known as Woodend Farm. The Coach House is situated between the A38 and the river Avon, being accessed via Woodend Lane a no through road to the east of the A38.

- 2.2 The main farmhouse, Woodend Farm is a Grade II Listed Building and is situated adjacent to the application property. Historically the application building would appear to have been associated with Woodend Farm and as such the Coach House is curtilage listed.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
20/01142/CLE	Use of the Coach House as a separate residential dwelling, garden and ancillary parking.	CLECER	17.03.2021

4. Consultation Responses

Full copies of all the consultation responses are available online at

<https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 4.1 **Twynning Parish Council** - Consulted but no response received at the time of writing.

Conservation Officer - No objection subject to conditions.

Building Control - The application will require Building Regulations approval.

5. Third Party Comments/Observations

Full copies of all the representation responses are available online at

<https://publicaccess.tewkesbury.gov.uk/online-applications/>.

- 5.1 The application has been publicised through the posting of a site notice for a period of 21 days.

5.2 Third Party Comments: The application has been publicised through the posting of a site notice for a period of 21 days and one objection comment was received on the previous application. The main points being:

- The proposed plans not subservient to the main dwelling
- Loss of privacy
- Loss of light
- Loss of view
- Design not in keeping with the area.
- Access and turning space for both the builders and builder's merchant's deliveries throughout the build and post the build. Damage to property that this will cause.
- The boundary line on the submitted plans is incorrect.
- The proposed plans will mean increased doors and increased foot traffic past the front of the neighbouring house.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

National Planning Policy Framework and Planning Practice Guidance

Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest it possesses.

6.3 Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) – Adopted 11 December 2017

Policy SD4 (Design Requirements)
Policy SD8 (Historic Environment)

6.4 Tewkesbury Borough Local Plan to 2011-2031 (TBLP) – Adopted 8 June 2022

Policy HER2 (Listed Buildings)

7. Policy Context

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the Local Planning Authority shall have regard to the provisions of the Development Plan, so far as material to the application, and to any other material considerations.

7.2 The Development Plan currently comprises the Joint Core Strategy (JCS) (2017), saved policies of the Tewkesbury Borough Local Plan to 2011-2031 (June 2022) (TBLP), and a number of 'made' Neighbourhood Development Plans.

- 7.3** The relevant policies are set out in the appropriate sections of this report.
- 7.4** Other material policy considerations include national planning guidance contained within the National Planning Policy Framework 2021 and its associated Planning Practice Guidance (PPG), the National Design Guide (NDG) and National Model Design Code.

8. Evaluation

- 8.1** Woodend Farm is a Grade II Listed building, and The Coach House is considered to be curtilage listed. As such when determining planning applications this authority has a duty under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have regard to the desirability of preserving listed buildings and their features of special architectural or historic interest.
- 8.2** Chapter 16 of the National Planning Policy Framework sets out the importance of protecting and enhancing the historic environment and conserving heritage assets in a manner appropriate to their significance. Paragraph 197 states that in determining planning applications, local authorities should take account of 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 8.3** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Local Planning Authority to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise. Although this legal requirement does not apply to the consideration of listed building consent applications, the planning objectives set out in JCS Policy SD8 are clearly relevant to the consideration of this application for listed building consent.
- 8.4** The Coach House is an ancillary building to Woodend Farmhouse. The farmhouse is set within a former farmstead including a range of historic brick barns and shelter sheds which are also separately Grade II Listed. The Farmhouse is a formal 19th Century red brick house with a symmetrical façade overlooking the river valley via a narrow aspect confined between outbuildings, including the Coach House and shelter shed. The Coach House is a narrow two storey red brick building with brick dentil cornice and hipped clay tiled roof. There are tallet steps up to the first floor and an attached shelter shed to the East and a single storey element on the North Elevation. The building has previously been converted to residential use.
- 8.5** The revised plans show a change to a narrower pitched roof design which has been set in from the side elevation by 1.8m (1m more than the original), and reduced in width by around 1m to be 5.6m wide, and also the rear projection has increased by 2m to 10m. it is also noted that the scheme now proposes brick to match instead of the timber cladding. Officers agree that the amended plans are acceptable except for the design of the new front door which is unnecessarily contemporary in its design and would appear incongruous on this listed building.

- 8.6** Therefore, conditions would be attached to ensure that all new windows and doors shall be recessed by a minimum of 75mm. Prior to installation details of new windows and external doors, as well as details of sills and heads of new window and door openings shall also be agreed. Prior to installation, details of the new roof tiles, rainwater goods and weatherboarding also be agreed. Furthermore, prior to construction above DPC level a sample panel of new external brickwork to be constructed on site (1m x 1m) showing the bond and pointing to match the existing building. The sample is to be agreed, after which should remain on site for comparison until the construction is completed.
- 8.7** Subject to these conditions the proposal would have a neutral impact on the significance of the Curtilage Listed Building and to the setting of the Grade II Listed Farmhouse. As such the proposal is compliant with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the NPPF, Policy SD8 of the JCS and Policy HER2 of the Local Plan.

9. Conclusion

- 9.1** It is considered that the proposal would preserve the listed building and its setting, in accordance with Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and JCS Policy SD8.

10. Recommendation

- 10.1** The proposal accords with relevant policies as outlined above; it is therefore recommended the application be **permitted** subject to the following conditions:

11. Conditions

- 1** The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2** The development hereby permitted shall be carried out in accordance with the following plan references:

- 4528 P(0)103 REV A received 20th October 2023.
- 4528 P(0)101 B, 4528 P(0)102 C, 4528 P(0)100 B and 4528 P(0)301 B received 8th April 2024.
- 4528 P(0)302 C and 4528 P(0)303 B received 8th May 2024.

except where these may be modified by any other conditions attached to this permission.

Reason: To ensure that the development is carried out in accordance with the approved plans.

- 3** Prior to installation, details (including scaled cross sections) of new windows and external doors and details of sills and heads of new window and door openings shall be submitted to and agreed in writing by the Council.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

4 All new windows and doors shall be recessed by a minimum of 75mm.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

5 Prior to installation, details of the new roof tiles, rainwater goods and weatherboarding shall be submitted to and agreed in writing by the Council.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

6 Prior to construction above DPC level a sample panel of new external brickwork shall be constructed on site (1m x 1m) showing the bond and pointing to match the existing building. The sample is to be agreed in writing by the Council, after which it shall remain on site for comparison until the construction is completed.

Reason: To ensure the historic integrity of the grade II listed building is preserved.

12 Informatives

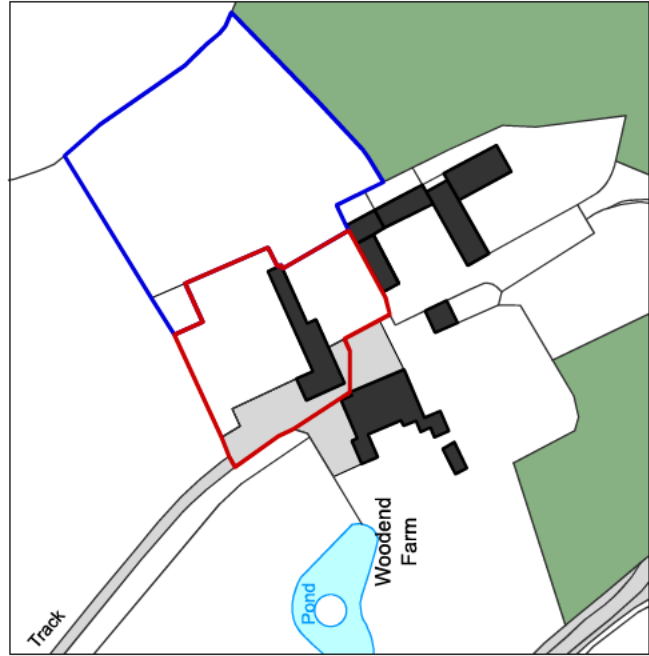
1 In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner by offering pre-application advice, publishing guidance to assist the applicant, and publishing to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

2 The application will require Building Regulations approval. Please contact Cheltenham and Tewkesbury Building Control on 01242 264321 for further information.



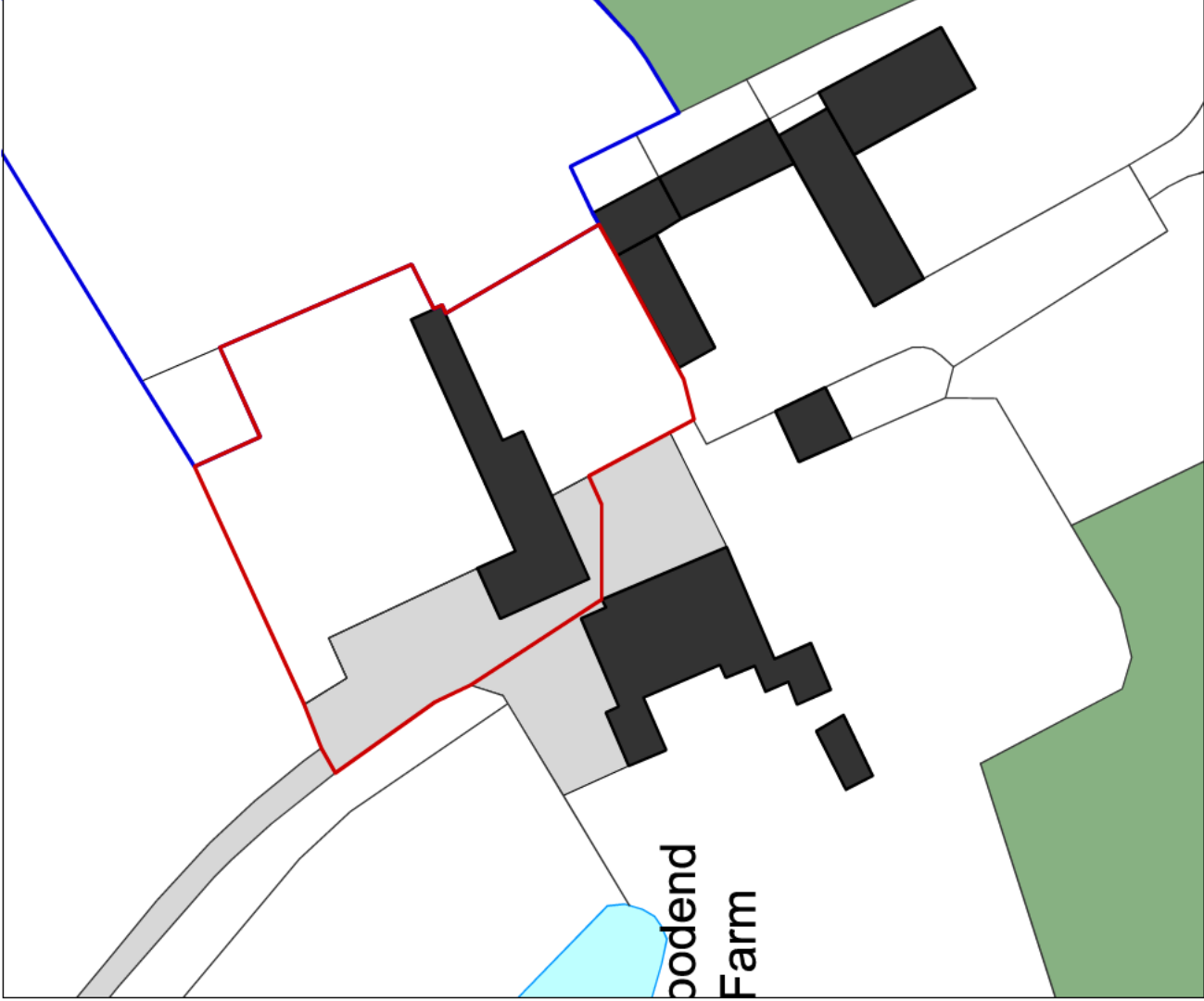
01 Existing Aerial View

Not To Scale



02 Site Location Plan

Scale: 1:1250



03 Site Block Plan

Scale: 1:500

- 1 Do not scale off this drawing.
- 2 Any discrepancies to be referred to the Architect.
- 3 This drawing is to be read in conjunction with all other drawings and specifications issued by the architect and other specialists.
- 4 This drawing is copyright and is not to be reproduced without RRA permission.
- 5 RRA 000181/ASAC



- SITE BOUNDARY
- LAND ALSO OWNED BY CLIENT

Site Boundary Amended	06/03/24	RJB	B
Site Boundary Amended	29/01/24	RJB	A
Revision Description	Date	Check	Rev



RRA Architects Ltd
16 Royal Crescent
Bristol, Avon
GL2 0DA

T 01242 289 374
E enquiries@rarchitects.com
WWW.RRARCHITECTS.COM

London T 0203 330 0088
Ludlow T 01584 5187 87
Hireford T 01452 276 757
Gloucestershire T 01242 282874

Client: [Redacted]

Project:

The Coach House, Woodend Farm,
Shuthonger, GL20 6EE

Drawing Title:

Site Location & Block Plan

Status	Date	Drawn By	Scale
Planning	MAY 2023	RJB	As Shown
Revision	Revision	Revision	Revision
4528P(0)100	B		

- 1 Any discrepancies to be referred to the Architect.
- 2 This drawing is to be used for the design and construction of the building and its services and is not to be used for any other purpose without the written permission of the Architect.
- 3 This drawing is copyright and is not to be reproduced without the written permission of RRA Architects.
- 4 IF IN DOUBT, ASK.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR CO-ORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEERS
SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED
THROUGH SURVEYING THE PROPERTY.
CONTRACTOR IS REQUIRED TO INSPECT THE
DRAINAGE SYSTEM TO CHECK PROPOSED RUNS
WORK PRIOR TO COMMENCEMENT



Revision Description	Date	Check	Rev
Site Boundary Amended	06/03/2024	RJB	B
Site Boundary Amended	29/07/2024	RJB	A



RRA Architects Ltd
15 Wood Lane
London, W1B 4AA
020 7463 3333

T 01242 269 374
E enquiries@rraarchitects.com
www.rraarchitects.com

Headed
T 01432 279 707
London T 0203 330 0296
Leather T 01924 519 747
T 01242 269374

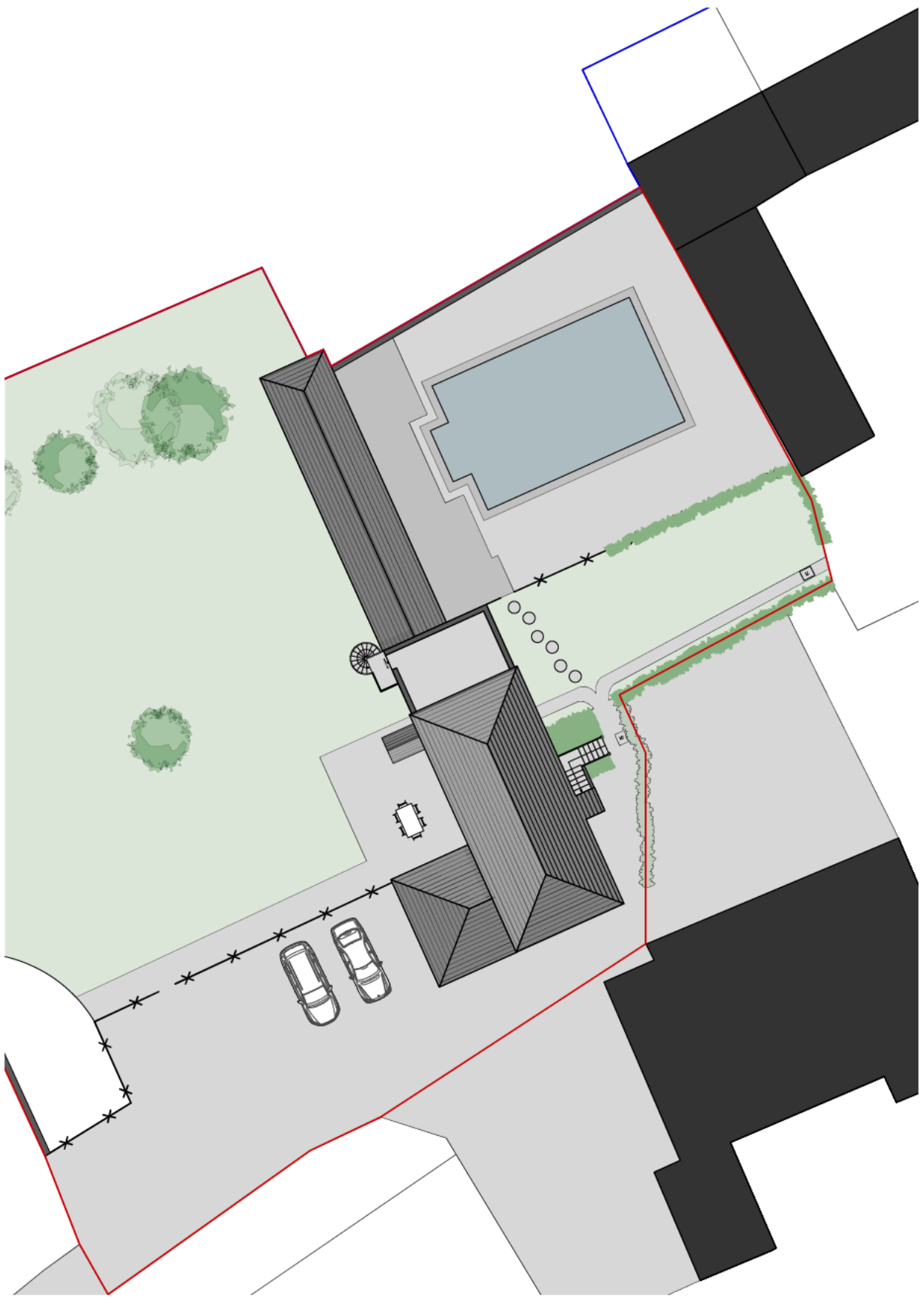
Client: [Redacted]

Project: [Redacted]

The Coach House, Woodend Farm,
Shuthonger, GL20 6EE

Drawing Title:
Existing Site Plan

Status	Date	Drawn By
Planning	MAY 2023	RHB
Drawing No.	Revision	Scale
4528 P(0)101	B	1:100 @ A1



EXISTING

1 SITE PLAN
Scale: 1:100 @A1

- 1 Any discrepancies to be referred to the Architect.
- 2 This drawing is for information only. It does not constitute a contract. It is subject to the relevant specifications and other drawings issued by the Architect, and other specialists.
- 3 This drawing is copyright and is not to be reproduced without the prior written permission of RRA Architects.
- 4 IF IN DOUBT, ASK.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR CO-ORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEERS
SPECIFICATION
PLEASE NOTE NO MANHOLES WERE LIFTED
THROUGH SURVEYING THE PROPERTY.
CONTRACTOR IS REQUIRED TO INSPECT THE
DRAINAGE SYSTEM TO CHECK PROPOSED RUNS
WORK PRIOR TO COMMENCEMENT



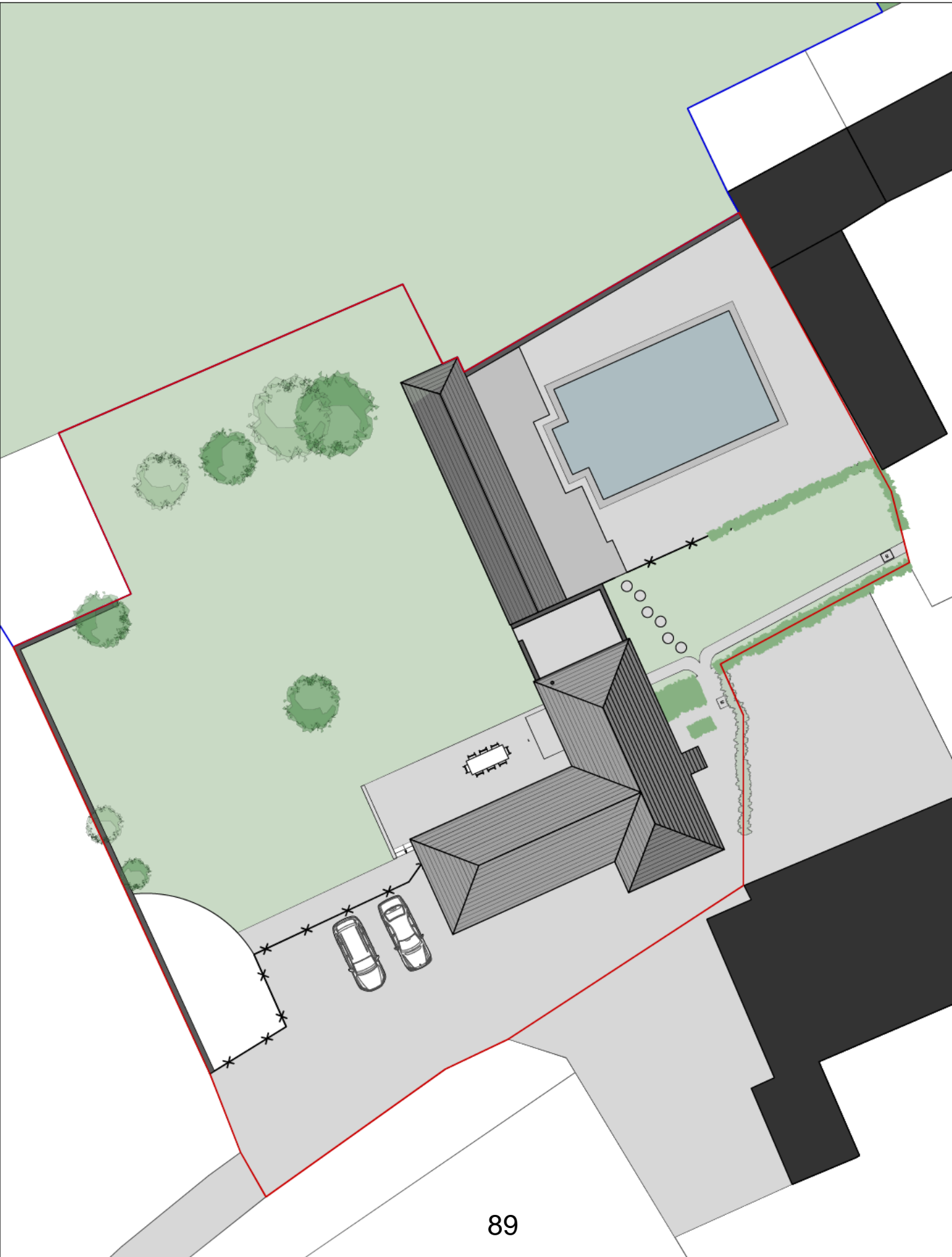
Revision Description	Date	Check	Rev
Site Boundary Amended	06/03/2024	RJB	B
Design Amended	22/07/2024	RJB	A



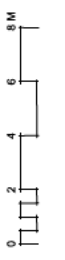
RRA Architects Ltd
Woodhouse
Gibson
Leeds
T 011242 269 374
E enquiries@rrarchitects.com
www.rrarchitects.com
Headford
T 01432 279 707
London
T 0203 130 0286
Leather
T 01894 519 747
T 01242 269374

Client : [REDACTED]
Project : [REDACTED]
The Coach House, Woodend Farm,
Shuthonger, GL20 6EE
Drawing Title : Proposed Site Plan

Status	Date	Drawn By
Planning	SEP 2023	RHB/RJB
Drawing No.	Revision	Scale
4528 P(0)301 B		1:100 @ A1



PROPOSED



- 1 Any discrepancies to be referred to the Architect.
- 2 This drawing is for information only and does not constitute a contract. It is subject to the relevant specifications and other drawings issued by the Architect, and other specialists.
- 3 This drawing is copyright and is not to be reproduced without the prior written permission of RRA Architects.
- 4 IF IN DOUBT, ASK.



PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY SHOWN FOR CO-ORDINATION PURPOSES PLEASE REFER TO STRUCTURAL ENGINEERS SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED THROUGH SURVEYING THE PROPERTY. CONTRACTOR IS REQUIRED TO INSPECT THE DRAINAGE SYSTEM TO CHECK PROPOSED RUNS WORK PRIOR TO COMMENCEMENT

Revision	Description	Date	Check	Rev
Site Boundary Amended		06/03/2024	RJB	C
Site Boundary Amended		28/01/2024	RJB	B
Errors Rectified		27/09/2023	RJB	A



RRA Architects Ltd
11 Wood Lane
Golf Course
GL20 6EE

T 01242 269 374
E enquiries@rraarchitects.com

www.rraarchitects.com

London T 0203 330 0288
Leather T 01884 519 747
Heckfield T 01432 271 707
Oxford T 01242 269374

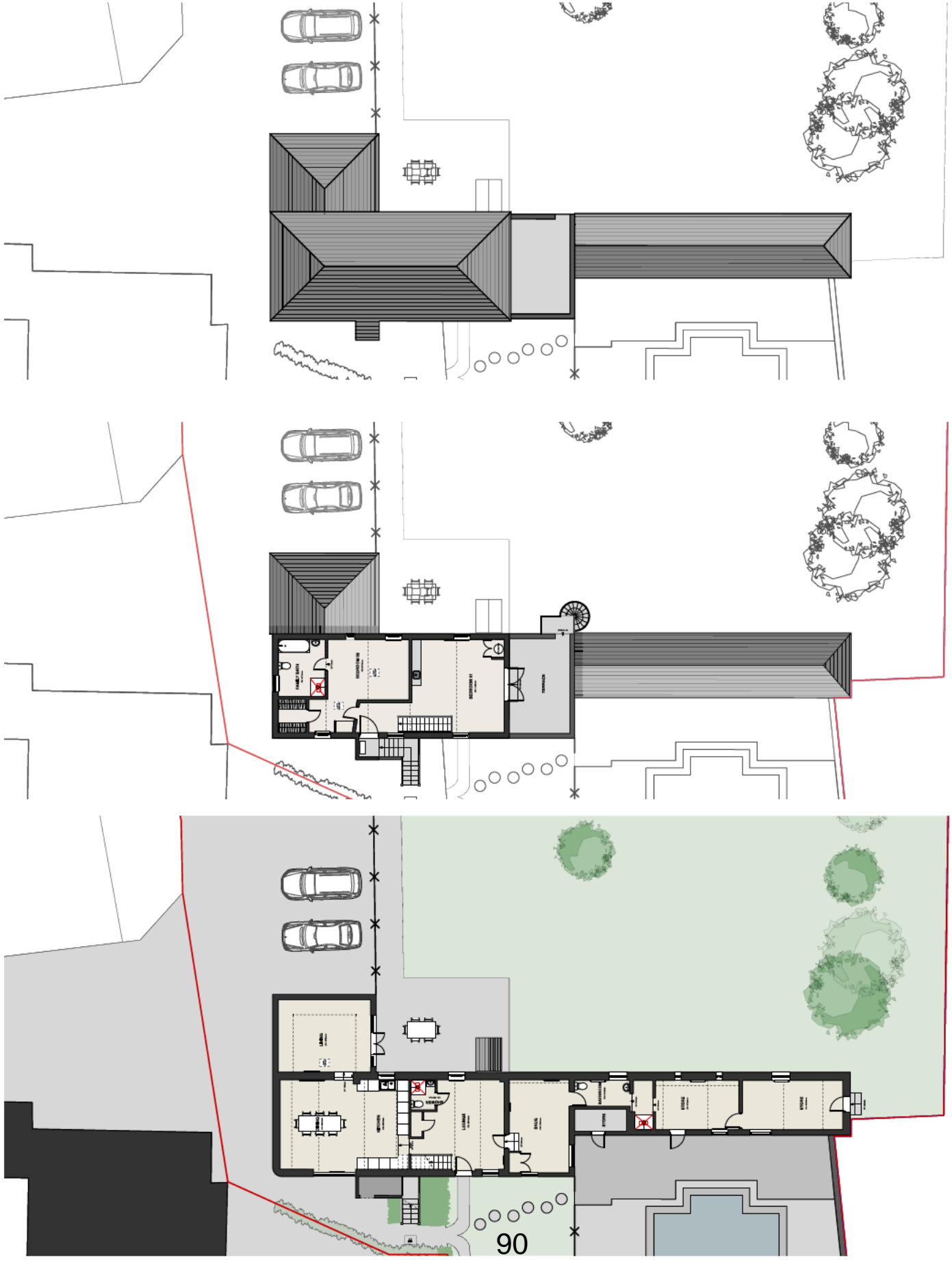
Client: [Redacted]

Project: [Redacted]

The Coach House, Woodend Farm,
Shuthonger, GL20 6EE

Existing Plans

Status	Date	Drawn By
Planning	MAY 2023	RHB
Drawing No.	Revision	Scale
4528	P(0)102	C
		1:100 @ A1



1 GROUND FLOOR PLAN
Scale: 1:100 @ A1

2 FIRST FLOOR PLAN
Scale: 1:100 @ A1

3 ROOF PLAN
Scale: 1:100 @ A1

EXISTING
Scale: 1:100 @ A1

- 1 Any discrepancies to be referred to the Architect.
- 2 All drawings are to be prepared in accordance with the relevant specifications and other drawings issued by the Architect, and other specialists.
- 3 All drawings are to be prepared in accordance with the relevant specifications and other drawings issued by the Architect, and other specialists.
- 4 **FIN IN DOUBT, ASK.**



PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY
SHOWN FOR COORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEER'S
SPECIFICATION

PLEASE NOTE NO MANHOLES WERE LIFTED
THROUGH SURVEYING THE PROPERTY.
CONTRACTOR IS REQUIRED TO INSPECT THE
DRAINAGE SYSTEM AND REPORT ANY
WORK REQUIRED TO COMMENCEMENT

West Elevation Revised	06/05/2024	RJB	C
Site Boundary Amend	06/03/2024	RJB	B
Design Revised	22/01/2024	RJB	A
Revision Description	Date	Check	Rev



RRA Architects Ltd
 100, High Street, Colchester, Essex, CO1 1AA
 T 01204 286 374
 E enquiries@raarchitects.com
 www.raarchitects.com
 Location: T 0203 38 0088
 London: T 0203 38 0088
 York: T 01904 519 747
 York: T 01904 519 747
 York: T 01904 519 747

Client: [Redacted]
Project: [Redacted]
 The Coach House, Woodend Farm,
 Shuthonger, GL20 6EE
Drawing Title:
 Proposed Plans
 Status: Planning
 Date: SEP 2023
 Drawn By: RJB/RLB
 Checked By: [Redacted]
 Issue No: 4528 P(0)302 C
 Revision: [Redacted]
 Scale: 1:100 @ A1

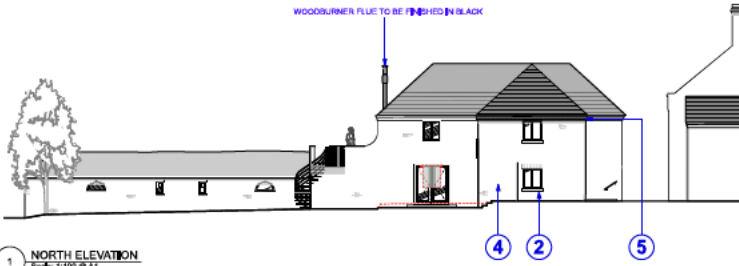


3 ROOF PLAN
Scale: 1:100 @ A1

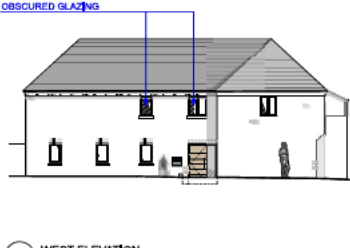
2 FIRST FLOOR PLAN
Scale: 1:100 @ A1

1 GROUND FLOOR PLAN
Scale: 1:100 @ A1

0 2 4 6 8 M
PROPOSED



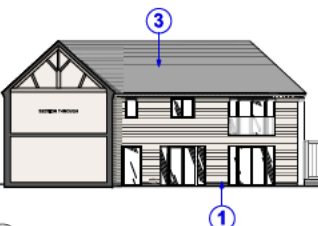
1 NORTH ELEVATION
Scale: 1:100 @ A1



2 WEST ELEVATION
Scale: 1:100 @ A1



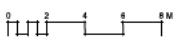
3 SOUTH ELEVATION
Scale: 1:100 @ A1



4 EAST SECTIONAL ELEVATION
Scale: 1:100 @ A1



5 EAST ELEVATION
Scale: 1:100 @ A1



- 1 Any discrepancies to be referred to the Architect. The drawing is to be read in conjunction with all relevant specifications and other drawings issued by the Architect and other specialists.
- 2 This drawing is copyright and is not to be reproduced without RRA permission.
- 3 RRA 100187, A04.

PLANNING ISSUE

STRUCTURAL INFORMATION INDICATIVE ONLY SHOWN FOR CO-ORDINATION PURPOSES
PLEASE REFER TO STRUCTURAL ENGINEER'S SPECIFICATION
PLEASE NOTE NO MANHOLES WERE LET THROUGH BUILDING THE PROPERTY, CONTRACTOR IS REQUIRED TO INSPECT THE DRAINAGE SYSTEM TO CHECK PROPOSED RUNS WORK PRIOR TO COMMENCEMENT

- 1 HORIZONTAL TIMBER CLADDING
- 2 BLACK POWDER COATED ALUMINUM PENETRATION
- 3 ROOF TILES TO MATCH EXISTING
- 4 BRICK TO MATCH EXISTING
- 5 BRICK LEAVES DETAIL TO MATCH EXISTING

West Elevation Revised	06/05/2024	FJB	B
Design Revised	22/01/2024	FJB	A
Revision Description	Date	Check	Rev.



RRA Architects Ltd
Registered Architectural Practice
T 01242 269 274
E enquiries@rarchitects.com
www.rarchitects.com
London T 020 335 0386
Leeds T 01524 610747
Huddersfield T 01482 278 707
Glasgow T 01548 288274

Project

The Coach House, Woodend Farm, Stroud, Gloucestershire, GL20 6EE

Drawing Title: Proposed Elevations

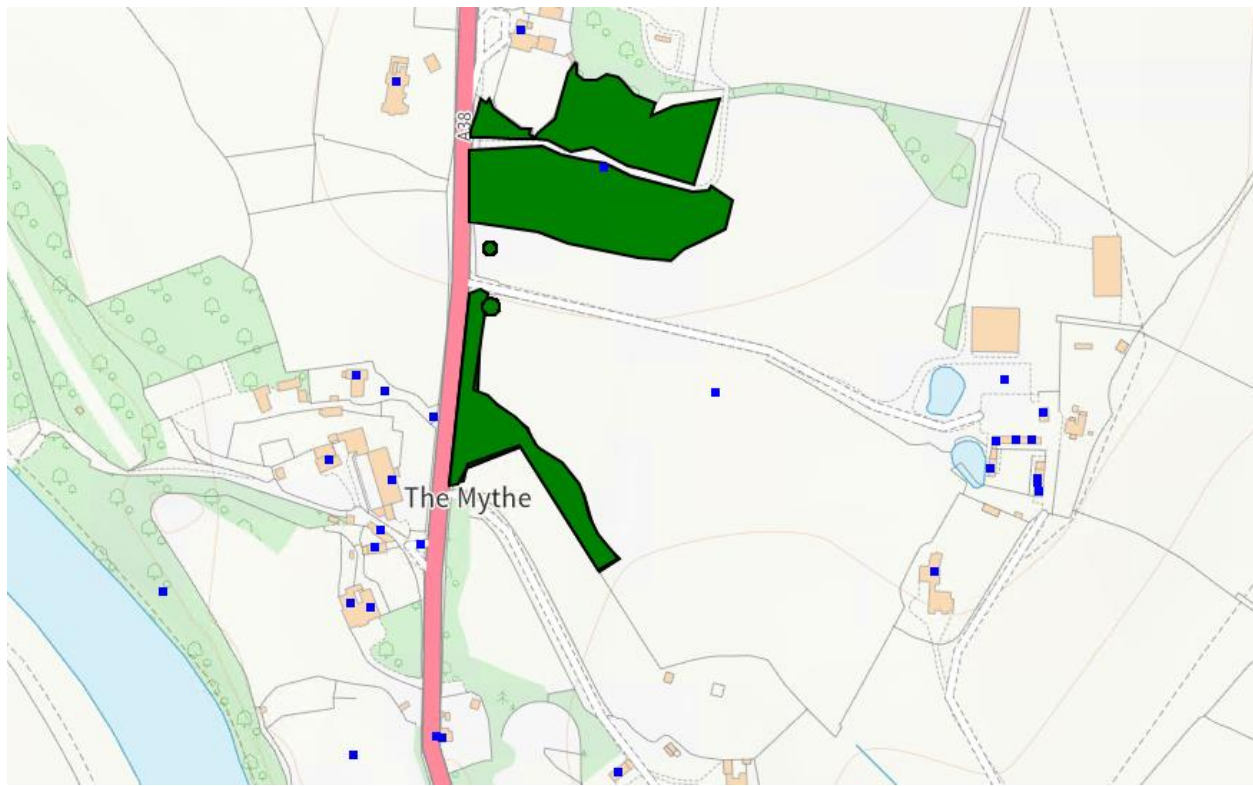
Status: Working	Date: SEP 2023	Drawn By: FJB/FPLB
Drawing No: 4528 P(0)303 B	Revision: B	Scale: 1:100 @ A1

PROPOSED

Planning Committee

Date	23 May 2024
Case Officer	Gaynor Baldwin
Application No.	TPO 421
Site Location	Part Parcel 2352 and Land Adjacent Mythe Road Tewkesbury
Proposal	To confirm TPO 421
Ward	Tewkesbury North and Twynning
Parish	Tewkesbury
Appendices	Tree Preservation Order 421
Reason for Referral to Committee	Objection received
Recommendation	It is recommended that TPO 421 is confirmed without modification

Site Location



1. The Proposal

This report summarises the reasons and circumstances for making Tree Preservation Order (TPO) No. 421 (**Appendix 1**) and provides details of the objection and the case for the order to be confirmed.

2. Site Description

- 2.1** The Tree Preservation Order (TPO) seeks to protect two areas of Woodland, a couple of individual trees and an Area of trees adjacent to the A38 which is the main route into Tewkesbury Town Conservation Area.
- 2.2** A planning Public Inquiry has recently taken place for Planning Ref: 22/00610/OUT and a decision will be made in due course for residential development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.
- 2.3** The woodland trees are identified as Priority Habitat - Deciduous woodland as shown on DEFRA Magic Maps. The Woodland, Area and Individual trees are worthy of a TPO by virtue of their present and future public amenity and habitat value.
- 2.4** Only trees that have a Tree Preservation Order or are located within a Conservation area are protected by Legislation. Without a Tree Preservation Order the trees could be at risk of being cut back or felled without consent from the Local Planning Authority.

3. Relevant Planning History

Application Number	Proposal	Decision	Decision Date
22/00610/OUT	Residential Development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.	Committee decision – Minded to Refuse	Appeal decision pending

4. Consultation Responses

Parish Council - no comments received

5. Third Party Comments/Observations

- 5.1** One objection received

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

The law on Tree Preservation Orders is in Part VIII of the Town and Country Planning Act 1990 as amended and in the Town and Country Planning (Tree Preservation) (England) Regulations 2012 which came into force on 6 April 2012.

The following planning guidance and policies are relevant to the consideration of this application:

6.2 National guidance

Local planning authorities can make a Tree Preservation Order if it appears to them to be 'expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area'. By not taking the recommended action the Council risks the permanent loss of various significant trees and their wildlife habitat, therefore failing to deliver its commitment to the preservation of their trees and biodiversity.

7. Background

- 7.1** A Tree Preservation Order was made to protect and safeguard the trees and for them to be a material consideration when assessing planning application ref 22/00610/OUT. It is considered that in the interests of amenity, that it was expedient to make an Order. If the trees were removed there would be a significant adverse impact on the amenity of the area.
- 7.2** TPO Guidance states: 'it is not necessary for there to be immediate risk for there to be a need to protect trees. In some cases the authority may believe that certain trees are at risk as a result of development pressures and may consider, where this is in the interests of amenity, that it is expedient to make an Order.'
- 7.3** The Tree Preservation Order seeks to protect two areas of Woodland, a couple of individual trees and an Area of trees adjacent to the A38 which a section of this is ear-marked for removal to be able to serve the entrance to the proposed residential development. These trees line the A38 which is one of the main routes into Tewkesbury Town Conservation Area.
- 7.4** The landowner and agents were notified of the making of the TPO and given the standard twenty-eight days to make any representations. One objection was received and is summarised below together with the Tree Officer's response.

7.5 A summary of the objection is listed below:

Objection	Summary of Objection	Councils Response
1.	This objection relates only to some trees within the Order which are shown as A1 on the TPO plan. The trees do not provide enough public benefit to merit protection in the interests of public visual amenity	The Tree Preservation Order (TPO) seeks to protect two areas of Woodland, a couple of individual trees and an Area of trees adjacent to the A38 which is the main route into Tewkesbury Town Conservation Area. The Woodland, Area and Individual trees are worthy of a TPO by virtue of their present and <u>future</u> public amenity and habitat value.
2	Objection does not relate to principle of the Order itself but to the fact that it is unnecessarily 'heavy handed' and unspecific in terms of its 'blanket' protection of inappropriate trees using the 'area' classification.	The area category is one way of protecting individual trees dispersed over an area. Authorities may either protect all trees within an area defined on the Order's map or only those species which it is expedient to protect in the interests of amenity.
3	Suitability assessment for the Tree Preservation Order has been submitted that forms part of the objection that in summary states: Use of the Area classification is unnecessary and inappropriate. Only some of the roadside trees are suitable for TPO. Much of A1 makes limited/negligible contribution to the local amenity and enjoyment by the public. Many trees have impaired form, structural condition and appearance. Some of the trees are in relatively poor physiological condition.	Where a group of trees are being assessed for their condition, it is important to score the condition of those principle trees without which the group would lose its aerodynamic or visual cohesion. If the group cannot be 'split' in this way, then its average condition should be considered. The tree survey that accompanied the planning application considered the condition of the group of principle trees along the roadside to be structurally and physiologically good. When the Tree Evaluation Method for Tree Preservation Orders (TEMPO) was implemented, this section scored a 3 for fair condition

4	T1 appears to be shown too far to the east on the TPO plan	The legislation does not require authorities to describe the trees in the Order with full scientific names or plot them on the map with pinpoint accuracy. T1 – Oak tree is the only oak tree adjacent and north of the access road in this location therefore there is no doubt which tree T1 is.
---	--	--

8. Conclusion

- 8.1 This order seeks to protect two areas of Woodland, a couple of individual trees and an Area of trees adjacent to the classified road A38 which is one of the main routes into Tewkesbury Town Conservation Area.
- 8.2 The Woodland, Area and Individual trees are worthy of a TPO by virtue of their present and future public amenity and habitat value.
- 8.3 A decision is pending from the Planning Inspectorate for residential development (up to 165 dwellings), associated works, including infrastructure, open space, landscaping and pumping station. Construction of a new vehicular access from Mythe Road and demolition of existing structures.
- 8.4 If the planning application is successful, where the appeal is allowed, and the removal of protected trees are required to implement the permission, the Local Authority can vary the Order to omit the trees that will be removed but the remaining trees will still be afforded the protection of the Tree Preservation Order.

9. Recommendation

- 9.1 It is recommended that TPO 421 is confirmed without modification

TOWN AND COUNTRY PLANNING ACT 1990

TEWKESBURY BOROUGH COUNCIL (NO. 421)

(PART PARCEL 2352 AND LAND ADJACENT MYTHE ROAD, TEWKESBURY, GLOUCESTERSHIRE)

TREE PRESERVATION ORDER 2023

The Council for the Borough of Tewkesbury, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. — This Order may be cited as **TEWKESBURY BOROUGH COUNCIL (NO. 421) (PART PARCEL 2352 AND LAND ADJACENT MYTHE ROAD, TEWKESBURY, GLOUCESTERSHIRE), TREE PRESERVATION ORDER 2023**

Interpretation

2. — (1) In this Order “the authority” means the Tewkesbury Borough Council
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 21st day of December 2023

THE COMMON SEAL of the COUNCIL)
FOR THE BOROUGH OF TEWKESBURY)
was hereunto affixed in the presence of—)

Authorised Signatory
Sarah Farooqi, Head of Law (Litigation & Planning).



SCHEDULE

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	Oak	<i>Refer to plan</i>

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T2	Oak	<i>Refer to plan</i>

Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
A1	Mixed Species Group	<i>Refer to plan</i>

Groups of trees (within a broken black line on the map)

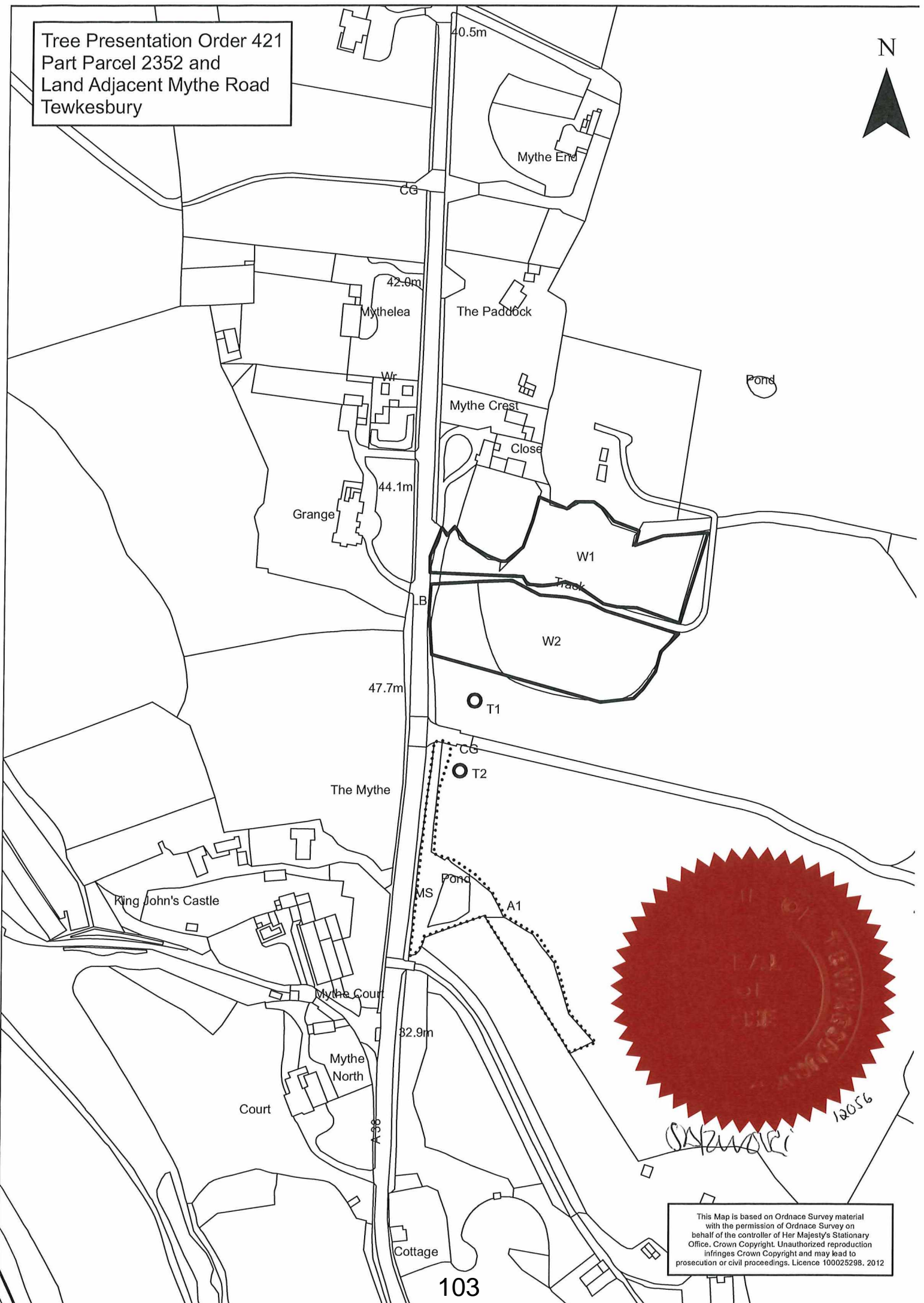
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	<i>none</i>	

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W1	Mixed Woodland Species	<i>Refer to plan</i>

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
W2	Mixed Woodland Species	<i>Refer to plan</i>

Tree Presentation Order 421
Part Parcel 2352 and
Land Adjacent Mythe Road
Tewkesbury



This Map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the controller of Her Majesty's Stationary Office. Crown Copyright. Unauthorized reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100025298. 2012

PLANNING APPEALS RECEIVED (08/04/2024 – 07/05/2024)

No planning appeals received.

PLANNING APPEALS DECIDED (08/04/2024 – 07/05/2024)

Appeal Decision Date	Appeal Decision	TBC Planning Number	Inspectorate Number	Proposal	Site Address
12-April-24	Appeal allowed planning permitted	23/00498/FUL	APP/G1630/W/23/3327802	Extensions to replace existing attic conversion and install new roof.	Orchard Bank, Bushcombe Lane Woodmancote
18-April-24	Appeal Dismissed	23/00242/CLE	APP/G1630/W/23/3330942	Lawful Development Certificate application for the existing residential use of former agricultural building	Plot 19 Warren Fruit Farm Evesham Road.
18-April-24	Appeal Dismissed	23/00023/ENFORC	APP/G1630/C/23/3327305	Unauthorised Residential Use	Plot 19 Warren Fruit Farm Evesham Road
18-April-24	Appeal Dismissed	23/00717/FUL	APP/G1630/D/23/3330914	Single and first floor extensions	2 Knoll Cottages Gloucester Road
26-April-24	Appeal Dismissed	23/00026/FUL	APP/B1605/D/23/3325742	Proposed studio/study above existing detached garage.	2 Denley Close Bishops Cleeve

Appeal Decision Date	Appeal Decision	TBC Planning Number	Inspectorate Number	Proposal	Site Address
26-April-24	Appeal Dismissed	22/01108/FUL	APP/G1630/W/23/3330525	Erection of self-build bungalow	Land Adjoining 21 Wenlock Road

